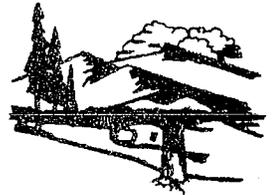




# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

October 1, 2007

Mr. Michael Brinkmeyer  
Operations Manager/Northern Region  
Western Gas Resources, Inc.  
1099 18th Street, Suite 1200  
Denver, CO 80202

Re: Notice of Violation

Dear Mr. Brinkmeyer:

Enclosed you will find a Notice of Violation (NOV) issued to Western Gas Resources, Inc. by the Department of Environmental Quality, Air Quality Division for the failure to conduct formaldehyde testing on one of the Ajax DPC-2802LE engines as required by condition 8 of permit CT-2078.

As the Department and this Division consider the failure to comply with air quality permit conditions to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Ms. Karen Godman, Air Quality Compliance Program Principal, at 307-777-8601 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Karen Godman.

Sincerely,

David A. Finley  
Administrator  
Air Quality Division

cc: Robert Gill  
Nancy Vehr  
Mike Warren  
Keith Guille

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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**BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION  
ISSUED TO WESTERN GAS RESOURCES, INC.,  
MR. MICHAEL BRINKMEYER, OPERATIONS  
MANAGER/NORTHERN REGION, 1099 18TH STREET,  
SUITE 1200, DENVER, COLORADO 80202**

**DOCKET NO. 4153-07**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Western Gas Resources, Inc. to be in violation of permit CT-2078 issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations in the operation of the Hermit Compressor Station located in Campbell County, Wyoming.

2. W.S. 35-11-801 states, "In granting permits, the director may impose such conditions as may be necessary to accomplish the purpose of this act which are not inconsistent with the existing rules, regulations and standards."

3. Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedures for issuing permits to sources under Wyoming's construction and modification permitting program.

4. CT-2078 was issued to Western Gas Resources, Inc. on October 17, 2000. Condition 8(ii) of permit CT-2078 required Western Gas Resources, Inc. to perform initial formaldehyde testing on one Ajax DPC-2802LE engine to confirm the emission rates are as represented in the application. Testing should follow Reference Methods 1-4 and SW846 Method 0011 or an alternative method approved by the Air Quality Division.

5. On June 13, 2007, Mr. Brad Steidley, Mr. Tanner Shatto and Ms. Debbie White, Air Quality Engineers, conducted an inspection and records review of the Hermit Compressor Station. During this inspection, it was observed that no formaldehyde test had been conducted on either of the Ajax DPC-2802LE engines as required by condition 8 of CT-2078.

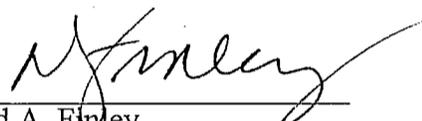
6. Said violation consists of the failure to conduct the formaldehyde test on one of the Ajax DPC-2802LE engines as required by condition 8 of CT-2078.

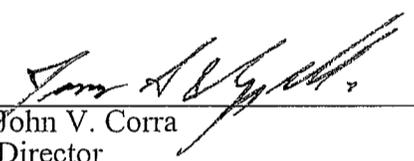
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental Quality Act] ... is subject to a penalty not to exceed ten thousand dollars (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction.

Western Gas Resources, Inc.  
Notice of Violation  
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8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

DATED this 4<sup>th</sup> day of October, 2007.

  
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David A. Finley  
Administrator  
Air Quality Division

  
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John V. Corra  
Director  
Department of Environmental Quality

Please direct all inquiries to David Finley, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393)