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

March 18, 2008

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

Re: Notice of Violation

Dear Mr. Brinkmeyer:

Enclosed you will find a Notice of Violation (NOV) issued to Mountain Gas Resources, Inc., Patrick Draw Gas Processing Plant by the Department of Environmental Quality, Air Quality Division for failing to comply with permit requirements by not installing a thermocouple or equivalent device to detect the presence of a pilot flame on flares FS-101 and FS-102. This is a violation of permit 31-026.

As the Department and this Division consider the failure to comply with air quality permit conditions to be a serious matter, I am 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 action on the 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 Ms. Karen Godman.

Sincerely,

David A. Finley
Administrator
Air Quality Division

cc: Nancy Vehr
Tony Hoyt
Robert Gill
Keith Guille

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO MOUNTAIN GAS RESOURCES, INC., MR. MICHAEL BRINKMEYER, OPERATIONS MANAGER/NORTHERN REGION, 1099 18TH STREET, SUITE 1200, DENVER, COLORADO 80202	)))))	**DOCKET NO. 4243-08**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Mountain Gas Resources, Inc. to be in violation of permit 31-026 issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 3 of the Wyoming Air Quality Standards and Regulations in the operation of the Patrick Draw Gas Processing Plant located in Sweetwater 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 3 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedures for issuing permits to major sources under Wyoming's operating permit program.

4. Permit 31-026 was issued to Mountain Gas Resources, Inc. on August 10, 2004. Condition P60-KKK1(a)(iii) of permit 31-026 requires that for flares FS-101 and FS-102 the presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device.

5. In a letter dated February 21, 2008, Western Gas Resources submitted RE: Permit Deviation-Condition P60-KKK1(a)(iii), in which they state the thermocouple or equivalent device required to detect the presence of the flare pilot flame had not been installed.

6. Said violation consists of failing to install the thermocouple or equivalent device to detect the presence of a flare flame for FS-101 and FS-102 in violation of condition P60-KKK1(a)(iii) of permit 31-026

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.

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 27th day of March, 2008.

David A. Finley
Administrator
Air Quality Division

John V. Corra
Director
Department of Environmental Quality

Please direct all inquiries to David A. 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)