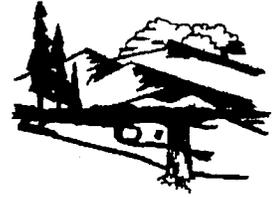




# Department of Environmental Quality



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 7, 2008

Ms. Jennifer Knowlton  
Environmental Engineer  
Rowdy Pipeline, LLC  
105 South Fourth Street  
Artesia, NM 88210

Re: Notice of Violation

Dear Ms. Knowlton,

Enclosed you will find a Notice of Violation (NOV) issued to Rowdy Pipeline, LLC by the Department of Environmental Quality, Air Quality Division for the failure to obtain a permit prior to commencing construction and operation of the West Hensley Compressor Station located in Campbell County, Wyoming. This is a violation of W.S. 35-11-801(c) and Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations.

As the Department and this Division consider the failure to obtain required air quality permits 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 Ms. Karen Godman.

Sincerely,

David A. Finley  
Administrator  
Air Quality Division

cc: Robert Gill  
Tanner Shatto  
Nancy Vehr  
Keith Guille



**BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION  
ISSUED TO ROWDY PIPELINE, LLC  
MS. JENNIFER KNOWLTON,  
ENVIRONMENTAL ENGINEER,  
105 SOUTH FOURTH STREET,  
ARTESIA, NEW MEXICO 88210**

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**DOCKET NO. 4379-08**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Rowdy Pipeline, LLC to be in violation of 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 construction and operation of West Hensley Compressor Station located in Campbell County, Wyoming.

2. W.S. 35-11-801(c) states, "A permit to construct is required before the construction or modification of any industrial facility capable of causing or increasing air or water pollution in excess of standards established by the department is commenced."

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. Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations states, "Any person who plans to construct any new facility or source, modify any existing facility or source, or to engage in the use of which may cause the issuance of or an increase in the issuance of air contaminants into the air of this state shall obtain a construction permit from the State of Wyoming, Department of Environmental Quality, before any actual work is begun on the facility."

5. On June 16, 2008, Compliance Partners, Inc. on behalf of Rowdy Pipeline, LLC submitted an application to amend Air Quality Permit MD-750A3 for the West Hensley Compressor Station by correcting the facility location to NW 1/4SW1/4 of Section 31, T35N, R74W. The facility was built in this location, but was permitted in range 75W. Upon review of the distance between permitted location and actual site location, it was determined that the distance was approximately six (6) miles, which requires an authorized permit modification. Therefore, construction and operation of the West Hensley Compressor Station at the location is a violation of the requirement to obtain a permit.

6. Said violation consists of installation and operation of the West Hensley Compressor Station without a permit. This constitutes violations of both W.S. 35-11-801(c) and Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations.

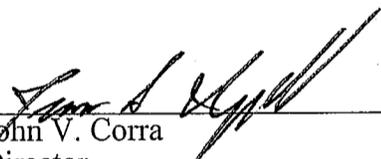
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental 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.

Rowdy Pipeline, LLC  
Notice of Violation  
Page Two

8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the 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 17<sup>th</sup> day of OCTOBER, 2008.

  
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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 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.)