



# Department of Environmental Quality

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



Matthew H. Mead, Governor

John Corra, Director

September 28, 2011

Mr. H. James Sewell  
Staff Environmental Engineer  
Shell Western Exploration & Production, Inc. LP  
4582 S. Ulster Street Parkway, Suite 500  
Denver, CO 80237

RE: Notice of Violation

Dear Mr. Sewell:

Enclosed you will find a Notice of Violation (NOV) issued to Shell Western Exploration & Production, Inc. LP by the Department of Environmental Quality, Air Quality Division, for failing to comply with the permit requirement for routing vapors from condensate tanks to combustion devices for the Boulder 32A PAD and Boulder 32B PAD located in Sublette County, Wyoming. These violations of permits MD-7851 and MD-8325 were observed by Ms. Brandi O'Brien on July 26, 2011.

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 Ms. Karen Godman.

Sincerely,

Steven A. Dietrich  
Administrator  
Air Quality Division

cc: Robert Gill  
Brandi O'Brien  
Tony Hoyt  
Nancy Vehr  
Keith Guille



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

**IN THE MATTER OF THE NOTICE OF VIOLATION** )  
**ISSUED TO SHELL WESTERN EXPLORATION & PRODUCTION** ) **DOCKET No. 4897-11**  
**MR. H. JAMES SEWELL,** )  
**STAFF ENVIRONMENTAL ENGINEER,** )  
**4580 SOUTH ULSTER STREET PARKWAY, SUITE 500** )  
**DENVER, COLORADO 80237** )

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Shell Western Exploration & Production Inc. LP to be in violation of permits MD-7851 and MD-8325 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 at the Boulder 32A PAD and Boulder 32B PAD located in Sublette County, Wyoming.

2. W.S. 35-11-801(a) 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. Permits MD-7851 and MD-8325 were issued on April 23, 2009. Condition 13 of both permits require that vapors from condensate storage tanks, including tank flash and S/W/B vapors, shall be routed to a combustion device to reduce mass content of VOCs and HAPs in tank vapors vented to the device by at least ninety-eight percent (98%).

5. On July 26, 2011, Ms. Brandi O'Brien, Air Quality Division Engineer/Inspector, observed venting vapors from an open thief hatch at the Boulder 32A PAD and a leaking thief hatch at the Boulder 32B PAD. These are violations of condition 13 of permits MD-7851 and MD-8325.

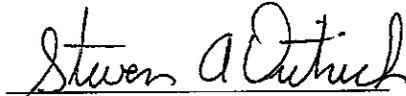
6. Said violation consists of the failure to route vapors from condensate tanks to combustion devices at the Boulder 32A PAD and Boulder 32B PAD located in Sublette County, Wyoming.

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.

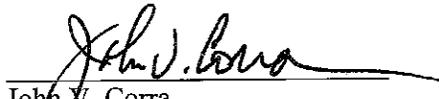
8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

Shell Western Exploration & Production, Inc. LP  
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DATED this 29<sup>th</sup> day of SEPTEMBER, 2011.



Steven A. Dietrich  
Administrator  
Air Quality Division



John V. Corra  
Director  
Department of Environmental Quality

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