



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

Todd Parfitt, Director

January 10, 2013

Mr. Alan Cooke
Engineering Manager
GAS Ventures, LLC
PO BOX 726
Thermopolis, WY 82443

RE: Notice of Violation

Dear Mr. Cooke,

Enclosed is a Notice of Violation issued to GAS Ventures, LLC for failing to install the smokeless combustion device and pilot monitoring system within 60 days of permit issuance, in violation of conditions 8 & 10 of permit CT-10138A.

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 Notice of 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: Greg Meeker, Bob Gill, Nancy Vehr, Keith Guille



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

IN THE MATTER OF THE NOTICE OF VIOLATION)
ISSUED TO GAS VENTURES, LLC) **DOCKET 5105-13**
MR. ALAN COOKE,)
ENGINEERING MANAGER)
PO BOX 726, THERMOPOLIS WY 82443)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found GAS Ventures, LLC to be in violation of permit CT-10138A 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 Lake Creek 16 Central Tank Battery located in Hot Springs 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. Permit CT-10138A was issued to GAS Ventures, LLC for the Lake Creek 16 Central Tank Battery on January 4, 2011. Conditions 8 & 10 require Gas Ventures, LLC to replace the combustor with a smokeless combustion device and install a continuous pilot monitoring system as follows:

Condition 8:

"The existing combustion device shall be replaced with a J.W. Williams smokeless combustion device within sixty (60) days of permit issuance..."

Condition 10:

"The continuous pilot monitoring system under condition eight (8) shall be installed and operational within sixty (60) days of permit issuance. "

5. On November 7, 2012, Ms. Lindy Johnson, Air Quality Division Engineer/Inspector, noted that both the new combustion device and continuous pilot monitoring system were not installed until March 8, 2012 and October 26, 2012. These are violations of conditions 8 & 10 of permit CT-10138A.

6. Said violation consists of the failing to install the smokeless combustion device and pilot monitoring system within 60 days of permit issuance, in violation of conditions 8 & 10 of permit CT-10138A.

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.

DATED this 10th day of JANUARY, 2013.



Steven A. Dietrich
Administrator
Air Quality Division



Todd Parfitt
Director
Department of Environmental Quality

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