



# 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 15, 2013

Mr. Martell Brower  
Director of Gas Operations  
Lower Valley Energy  
4000 South Hwy. 89, PO Box 572  
Jackson, WY 83001

RE: Notice of Violation

Dear Mr. Brower:

Enclosed you will find a Notice of Violation (NOV) issued to Lower Valley Energy by the Department of Environmental Quality, Air Quality Division, for failing to comply with permit requirements for routing vapors to the emission control device as permitted, but to a reboiler heater, at the Hoback Pipeline – Rim Station, located in Sublette County, Wyoming. This is a violation of permit CT-9249. This violation was observed by Ms. Jennifer Frazier on October 26, 2012.

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 307-777-3774 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  
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 LOWER VALLEY ENERGY ) DOCKET NO. 5111-13  
MR. MARTELL BROWER )  
4000 SOUTH HWY 89, PO BOX 572 )  
JACKSON, WY 83001 )**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Lower Valley Energy to be in violation of permit CT-9249. This permit was 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 for the Hoback Pipeline – Rim Station 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. Permit CT-9249 was issued to Lower Valley Energy on June 2, 2009 for the Hoback Pipeline – Rim Station. Condition 6 requires control of emissions as follows:

“For the TEG dehydration unit with a condenser, reboiler still vent vapors shall be routed to the condenser. Condensed reboiler still vent liquids shall be collected and routed to a liquids storage tank. The non-condensable reboiler still vent vapors shall be routed to a combustion device. The condenser and combustion device shall reduce the mass content of total HAP and VOC emissions in the reboiler still vent by at least ninety-eight percent (98%) by weight.”

5. On October 26, 2012, Ms. Jennifer Frazier, Air Quality Division Engineer/Inspector, observed that the non-condensable reboiler still vent vapors were not routed to a combustion device as permitted, but to a reboiler heater. This is a violation of condition 6 of permit CT-9249.

6. Said violation consists of not routing vapors to a permitted emission control device at the Hoback Pipeline – Rim Station. Not routing vapors to a control device as permitted is a violation of permit CT-9249.

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 15<sup>th</sup> 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, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)