



# 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 22, 2013

Mr. Michael Shaffron  
NRBU EHS Lead  
EnCana Oil & Gas (USA), Inc.  
370 17<sup>th</sup> Street, Suite 1700  
Denver, Colorado 80202

RE: Notice of Violation

Dear Mr. Shaffron:

Enclosed you will find a Notice of Violation (NOV) issued to EnCana Oil & Gas (USA), Inc. by the Department of Environmental Quality, Air Quality Division, for exceeding the permitted formaldehyde limit, the presence of an unpermitted engine and failure to operate the combustion unit such that it remains effective as a viable emissions control device at the Frenchie Draw Satellite/Graham West facility located in Fremont County, Wyoming. This constitutes a violation of conditions 11, 12 and 21 of permit MD-10255.

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  
Greg Meeker  
Nancy Vehr  
Keith Guille



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

**IN THE MATTER OF THE NOTICE OF VIOLATION )  
ISSUED TO ENCANA OIL & GAS (USA), INC. ) DOCKET NO. 5114-13  
MR. MICHAEL SHAFFRON, NRBU EHS LEAD, )  
370 17<sup>TH</sup> STREET, SUITE 1700 )  
DENVER, COLORADO 80202 )**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Encana Oil & Gas (USA), Inc. to be in violation of permit MD-10255 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 Frenchie Draw Satellite/Graham West facility located in Fremont 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 MD-10255 was issued to EnCana Oil & Gas (USA), Inc. on October 11, 2010. Condition 11 limits formaldehyde emissions from the Caterpillar 3612TALE engine to 0.47 pounds per hour. Conditions 12 and 21 limit the engine configuration at the facility and require control of vapors through combustion devices as follows:

Condition 12:

"Upon completion of the modification authorized by this permit, the engine configuration for the Frenchie Draw Satellite/Graham West facility shall be limited to six (6) engines consisting of the following:

E3-E4: Waukesha 7042GSI engines equipped with an AFRC and a NSCR catalyst.

E8: Either a Caterpillar G3306NA, Ford WSG-1068, or Ford ESG-642 engine equipped with an AFRC and a NSCR catalyst.

E5: Caterpillar G3612TALE engine equipped with an oxidation catalyst.

E6-E7: Any combination of Waukesha 7042GSI and Waukesha 7044 GSI engines equipped with an AFRC and a NSCR catalyst, and Caterpillar G3612TALE, Caterpillar G3608LE, and Caterpillar G3606TALE engines equipped with an oxidation catalyst.

Once constructed, units E6-E8 lose their flexibility and cannot be replaced by a different model engine unless authorized by an appropriate permit modification."

Condition 21:

"EnCana Oil & Gas (USA) Inc. shall maintain and operate the three (3) combustion devices (F1-F3) during all periods of active operation such that they remain effective as viable emissions control devices..."

5. On September 2, 2011 the Division received results for tests which were performed July 18, 2011 for the Caterpillar 3612TALE engine which indicated formaldehyde emissions exceeded the permitted limit. On September 26, 2012, Mr. Greg Meeker, Air Quality Division Engineer/Inspector, noted an unpermitted Waukesha VRG-310 engine present at the facility. On that date Mr. Meeker requested flare monitoring records for the 2012 year-to-date which indicated excessive downtime for

the combustor unit which controls the condensate tanks. Exceeding the permitted formaldehyde limit, the presence of an unpermitted engine and the failure to operate the combustion unit such that it remains effective as a viable emissions control device are violations of conditions 11, 12 and 21 of permit MD-10255.

6. Said violations consists of exceeding the permitted formaldehyde limit, the presence of an unpermitted engine and the failure to operate the combustion unit such that it remains effective as a viable emissions control device at the Frenchie Draw Satellite/Graham West facility, which are violations of conditions 11, 12 and 21 of permit MD-10255.

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 23<sup>rd</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.)