



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

May 14, 2013

Mr. Peter Wolberg
Anadarko E&P Onshore, LLC
PO Box 173779
Denver, CO 80217-3779

RE: Notice of Violation

Dear Mr. Wolberg:

Enclosed you will find a Notice of Violation (NOV) issued to Anadarko E&P Onshore, LLC by the Department of Environmental Quality, Air Quality Division, for failing to comply with permit requirements to continuously monitor the flow rate to the flare and determine the monthly SO₂ emissions at the Sussex B-2 Tensleep and C Production Battery, located in Johnson County, Wyoming. These are violations of permit MD-1247. These violations were reported by Anadarko E&P Onshore, LLC on April 23, 2013.

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
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 ANADARKO E&P ONSHORE, LLC) DOCKET NO. 5164-13
MR. PETER WOLBERG, EHS SUPERVISOR)
PO BOX 173779)
DENVER, CO 80217-3779)**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Anadarko E&P Onshore, LLC to be in violation of permit MD-1247 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 Sussex B-2 Tensleep and C Production Battery located in Johnson 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-1247 was issued to Anadarko E&P Company on September 27, 2005 for the Sussex B-2 Tensleep and C Production Battery. Condition 19 states:

"That Anadarko E&P Company shall continuously monitor the flow rate to the flare and gas samples shall be taken at least once a week to determine the H₂S concentration of the gas being combusted at the flare. The monthly SO₂ emission rate shall be determined using the average measured H₂S concentration for the month and the average inlet flow rate for the month..."

5. On April 23, 2013, Anadarko reported that SO₂ emissions had not been monitored since November 4, 2010 due to a malfunction of the flare gas meter.

6. Said violations consist of failure to continuously monitor the flow rate to the flare and determine the monthly SO₂ emissions at the Sussex B-2 Tensleep and C Production Battery located in Johnson County, Wyoming. Failure to continuously monitor the flow rate to the flare and determine the monthly SO₂ emissions are violations of permit MD-1247.

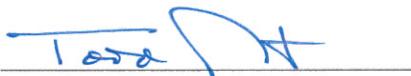
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental 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 14th day of MAY, 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.)