



# 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

November 25, 2014

Mr. Alan Schultz  
Windsor Energy Group, L.L.C.  
511 East 4th Street, Suite 4  
Gillette, WY 82716

RE: Notice of Violation

Dear Mr. Schultz:

Enclosed you will find a Notice of Violation (NOV) issued to Windsor Energy Group, LLC by the Department of Environmental Quality, Air Quality Division, for the failure to perform annual NO<sub>x</sub> and CO testing on the two engines at the Bennett Creek Central Station located in Park County, Wyoming. This constitutes violations of condition 11 of permit CT-3854.

As the Department and this Division consider the failure to comply with applicable requirements 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. Ann Shed, 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. Ann Shed.

Sincerely,

Steven A. Dietrich  
Administrator  
Air Quality Division

cc: Fred Dilella  
Ann Shed  
Greg Meeker  
Elizabeth Lyon  
Landon Brown



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

**IN THE MATTER OF THE NOTICE OF VIOLATION    )**  
**ISSUED TO WINDSOR ENERGY GROUP, LLC        )** **DOCKET NO. 5508-14**  
**MR. ALAN SCHULTZ                                    )**  
**511 EAST 4TH STREET, SUITE 4                    )**  
**GILLETTE, WY 82716                                )**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Windsor Energy Group, LLC to be in violation of permit CT-3854 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 Bennett Creek Central Station located in Park 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-3854 was issued on March 23, 2005 for the Bennett Creek Central Station. Condition 11 requires testing as follows:  
"That annually the engines shall be tested to verify compliance with the NO<sub>x</sub> and CO limits set forth in this permit..."
5. On December 6, 2013, the Air Quality Division became aware that the 2013 tests had not yet been conducted on two Caterpillar G398NAHC engines. Testing of the engines was not conducted until June 26, 2014. The failure to conduct annual testing is a violation of condition 11 of permit CT-3854.
6. Said violation consists of the failure to conduct annual NO<sub>x</sub> and CO testing for the two engines at the Bennett Creek Central Station, which is a violation of condition 11 of permit CT-3854.
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 25<sup>th</sup> day of NOVEMBER, 2014.



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.)