



# 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 27, 2015

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 88 hp GM 5.5 pumping unit engine at the Federal 12-26 facility located in Converse County, Wyoming. This constitutes a violation of condition 5 of waiver wv-13516.

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. 5532-15  
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 waiver wv-13516 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 (WAQSR) for the Federal 12-26 facility located in Converse 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 WAQSR prescribes the applicability and procedures for issuing permits to sources under Wyoming's construction and modification permitting program.

4. Waiver wv-13516 was issued on June 15, 2012 for the Federal 12-26 facility. Condition 5 requires testing as follows:

"That annually, the 88 hp GM 5.5 pumping unit engine shall be tested to verify compliance with the limits set forth in this waiver..."

5. On December 4, 2014, the Air Quality Division became aware that the 2013 tests had not been conducted on the 88 hp GM 5.5 pumping unit engine. Testing of the engine was not conducted until July 30, 2014.

6. Said violation consists of the failure to conduct annual NO<sub>x</sub> and CO testing for the 88 hp GM 5.5 pumping unit engine at the Federal 12-26 facility, which is a violation of condition 5 of waiver wv-13516.

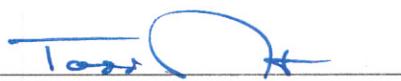
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental 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 27<sup>th</sup> day of JANUARY, 2015.



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.)