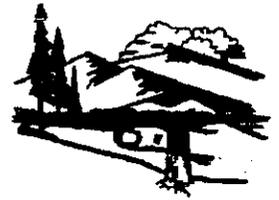




Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

CERTIFIED MAIL

April 16, 2008

Mr. Paul McElvery
Bill Barrett Corporation
1901 Energy Court, Suite 1700
Gillette, WY 82718

RE: Notice of Violation, Docket Number 4244-08

Dear Mr. McElvery:

Attached is a copy of a Notice of Violation, Docket Number 4244-08, issued to Bill Barrett Corporation (Barrett) for recurring violations of WYPDES permit requirements. Barrett has received Letters of Violation (LOVs) regarding permit violations and has also submitted exceedance notifications to the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD).

While neither the attached Notice of Violation nor this letter, constitute an order, this office strongly urges you to take action to immediately eliminate the alleged violations as follows:

1. Barrett should maintain compliance with all conditions established in their WYPDES permits.
2. Barrett should provide the WQD with an inventory of identified violations, actions to be taken to achieve compliance with permit requirements, and a compliance schedule for completion of each identified action. The report may be presented to the WQD during discussion to settle this Notice of Violation.

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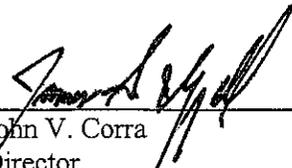
Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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Bill Barrett Corporation
April 16, 2008
Page 2

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a stipulated penalty and agreement to an enforceable compliance schedule by Barrett. If Barrett wishes to pursue resolution of the previously noted violations through such an agreement, please contact Mr. Kevin M. Wells, WYPDES Compliance & Enforcement Coordinator at (307) 777-8669, or Mr. Brian K. Lovett, WYPDES Inspection & Compliance Supervisor at (307) 777-5630 within 21 days of receipt of this letter to set up a meeting to discuss this matter.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/KMW/bb/8-0261

Enclosure: Notice of Violation

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Jim Eisenhauer, Sheridan DEQ Office (PDF)
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft (PDF)
IPS (for scanning) ► Docket 4244-08
Keith Guille, DEQ Public Information Officer (PDF)

BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

**IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)**

**Bill Barrett Corporation)
1901 Energy Court, Suite 1700)
Gillette, WY 82718)**

DOCKET NUMBER 4244-08

NOTICE OF VIOLATION

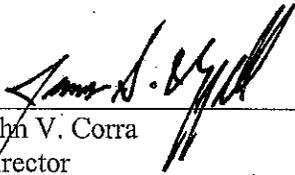
NOTICE IS HEREBY GIVEN THAT:

1. Bill Barrett Corporation (Barrett) operates several oil and gas production units and numerous coal bed methane gas production facilities in Wyoming. Barrett holds numerous Wyoming Pollution Discharge Elimination System (WYPDES) permits in Wyoming. The permits were issued by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD).
2. Since January 1, 2006 Barrett has had numerous instances of recurring WYPDES permit violations. Violations were identified through exceedance notifications, Discharge Monitoring Reports (DMRs), and inspections. The DEQ has also sent 4 Letters of Violation (LOV's) to Barrett since January 1, 2006.
3. Barrett has had 126 permit limit exceedances reported on DMRs from January 2006 through December 2007.
4. Three permits, held by Barrett (WY0051675, WY0052337, and WY0053091) had four or more recurring violations.
5. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), 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 on the person alleged to be responsible.
6. Pursuant to Wyoming Statute 35-11-901(a), any person who violates, or any director, officer, or agent of a corporate permittee who willingly and knowingly authorizes, orders, or carries out the violation of any provision of the Environmental Quality Act (Act), or any rule, regulation, standard, or permit adopted hereunder or who violates any determination or order of the council pursuant to this act or any rule, regulation, standard, permit, license, or variance is subject to a penalty not to exceed ten thousand dollars and no cents (\$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. The penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming. Nothing herein shall preclude the DEQ from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules, or other settlement conditions.

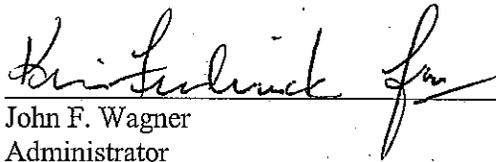
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NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

Signed this 17th day of April, 2008.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells., WYPDES Compliance & Enforcement Coordinator, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/KMW/KDC/bb/8-0261

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Jim Eisenhauer, Sheridan DEQ Office (PDF)
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft (PDF)
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DEQ Director