



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

FEB 2 2009

Ref: ENF-AT

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Paul F. Miller  
President  
TransCanada Northern Border, Inc.  
13710 FNB Parkway  
Omaha, Nebraska 68154-5200

Re: Notice of Violation  
Northern Border Pipeline Company  
and TransCanada Northern Border,  
Inc. Compressor Station No. 2,  
Fort Peck Indian Reservation

Dear Mr. Krause:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Notice of Violation (NOV) to Northern Border Pipeline Company and TransCanada Northern Border, Inc. pursuant to Section 113 of the Clean Air Act, 42 U.S.C. § 7413. We find that you are violating the Prevention of Significant Deterioration of Air Quality (PSD) regulations at your Compressor Station No. 2 located in the Fort Peck Indian Reservation.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The option(s) we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the requirements cited in the NOV.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. If you choose to have such a conference, you may present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations.

If you request a conference, please plan for your facility's technical and management personnel to attend to discuss compliance measures and commitments. You may have an attorney represent you at this conference if you choose.

The contacts in this matter are Emilio Llamozas, Environmental Engineer, and David Rochlin, Senior Air Enforcement Attorney. You may call David Rochlin at (303) 312-6892 to request a conference. You should make the request as soon as possible, but no later than 10 calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,



*for* Andrew M. Gaydos  
Assistant Regional Administrator  
Office of Enforcement, Compliance and  
Environmental Justice

Enclosure

cc: A. T. "Rusty" Stafne, Chairman  
Fort Peck Assiniboine and Sioux Tribes  
P.O. Box 1027  
Poplar, MT 59255

Alfreda Mitre, Region 8, Tribal Assistance Program

Betsy Burns, Region 8, Montana Office

Claudia Smith, Region 8, Air Program

