



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

January 4, 2007

Mr. Paul Fritz
Refinery Manager
Sinclair Wyoming Refining Company
PO BOX 277
Sinclair, WY 82334

RE: Notice of Violation

Dear Mr. Fritz:

Enclosed you will find a Notice of Violation (NOV) issued to Sinclair Wyoming Refining Company by the Department of Environmental Quality, Air Quality Division, for noncompliance with W.S. 35-11-201 of the Wyoming Environmental Quality Act and Chapter 5, Section 3 of the Wyoming Air Quality Standards and Regulations in the operation of the 582 Vacuum Tower Miscellaneous Process Vent (MPV) bypass line for Group 1 MPVs at the Sinclair Wyoming Refining Company located in Carbon County, Wyoming. During an inspection on August 22, 2006, Mr. Glenn Spangler, District Engineer, again found that the 582 Vacuum Tower MPV bypass in use, and records indicated the bypass line had been utilized since at least April 25, 2006.

As the Department and this Division consider the failure to comply with air quality regulatory requirements to be a serious matter, I am 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 action on the referral by the Attorney General's office, please contact Mr. Robert Gill, Air Quality Compliance Program Manager, at 307-777-3774 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 Mr. Robert Gill.

Sincerely,

David A. Vinley
Administrator
Air Quality Division

cc: Robert Gill
Glenn Spangler
Nancy Vehr
Keith Guille

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

ADMIN/OUTREACH (307) 777-7758 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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NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Sinclair Wyoming Refining Company to be in violation of W.S. 35-11-201 of the Wyoming Environmental Quality Act and Chapter 5, Section 3 of the Wyoming Air Quality Standards and Regulations in the operation of the 582 Vacuum Tower Miscellaneous Process Vent (MPV) bypass line for Group 1 MPVs at the Sinclair Wyoming Refining Company located in Carbon County, Wyoming.

2. W.S. 35-11-201 states, "No person shall cause, threaten or allow the discharge or emission of any air contaminant in any form so as to cause pollution which violates rules, regulations and standards adopted by the council".

3. Chapter 5, Section 3 of the Wyoming Air Quality Standards and Regulations adopts certain National Emission Standards for Hazardous Air Pollutants (NESHAPs) by reference including 40 CFR Part 63, Subpart CC, National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries. 40 CFR Part 63, Subpart CC, paragraph 63.644(c)(2) states "Secure the bypass line valve in the closed position with a car-seal or lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and the vent stream is not diverted through the bypass line."

4. In the 2005-2 semi-annual MACT Subpart CC Report, Sinclair Wyoming Refining Company reported the 582 Vacuum Tower Miscellaneous Process Vent (MPV) bypass line was utilized on two occasions for a total of 903.3 hours. During the inspection on August 22, 2006, it was again found that the 582 Vacuum Tower MPV bypass was in use, and records indicated the bypass line had been utilized since at least April 25, 2006.

5. Said violation consists of allowing Group 1 MPVs to vent to atmosphere, without being routed through a flare or other control device to reduce emissions by 98 percent or to 20 ppmvd organic Hazardous Air Pollutants (HAPs). This is a direct violation of W.S. 35-11-201 of the Wyoming Environmental Quality Act and Chapter 5, Section 3 of the Wyoming Air Quality Standards and Regulations.

6. 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.

7. 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 11 day of JANUARY, 2007.



David A. Finley
Administrator
Air Quality Division



John Corra
Director
Department of Environmental Quality

Please direct all inquiries to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)