



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

February 14, 2007

Mr. Paul D. Fritz
Refinery Manager
Sinclair Wyoming Refining Company
P.O. 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 the failure to comply with the sulfur dioxide (SO₂) emission limits established in condition 8 of permit MD-1048. This violation was discovered during the Air Quality Division's review of the Sinclair Wyoming Refining Company's excess emission report for the third quarter of 2006.

As the Department and this Division consider the failure to comply with air quality permit emission limits 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 issue 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 the Notice of Violation, please feel free to contact me or Mr. Robert Gill.

Sincerely,

David A. Finley
Administrator
Air Quality Division

cc: Nancy Vehr
Robert Gill
Glenn Spangler



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

**IN THE MATTER OF THE NOTICE OF VIOLATION
ISSUED TO SINCLAIR WYOMING REFINING COMPANY,
MR. PAUL D. FRITZ, REFINERY MANAGER,
P.O. BOX 277, SINCLAIR, WYOMING 82334**

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DOCKET NO. 4043-07

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 permit MD-1048 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 in the operation of the Sinclair Refinery located in Carbon County, Wyoming.

2. W.S. 35-11-801 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 MD-1048 was issued to the Sinclair Wyoming Refining Company on August 23, 2004. Condition 8 of MD-1048 establishes sulfur dioxide (SO₂) emission limits from the Tail Gas Treatment Unit (TGTU). This condition lists allowable emissions of 250 parts per million (ppm) over a 12-hour rolling average per 40 CFR 60.105(e)(4).

5. The Air Quality Division's review of Sinclair Wyoming Refining Company's excess emission report for the third quarter (June 1, 2006 through September 30, 2006) showed the TGTU experienced 886 hours in which the 12-hour rolling average SO₂ concentration exceeded 250 ppm.

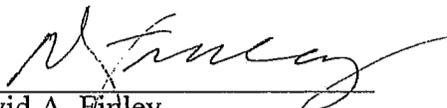
6. Said violation consists of the failure to comply with the SO₂ emission limits as required by condition 8 of permit MD-1048.

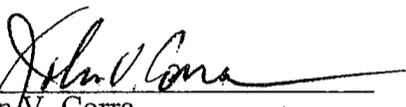
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental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

Sinclair Wyoming Refining Company
 Notice of Violation
 Page Two

DATED this 5 day of March, 2007.


 David A. Finley
 Administrator
 Air Quality Division


 John V. 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)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>Staci Nottestad</i></p> <p>B. Received by (Printed Name) <i>Staci Nottestad</i></p> <p>C. Date of Delivery <i>3-8-7</i></p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;">Mr. Paul Fritz Refinery Manager Sinclair Wyoming Refining Co PO Box 277 Sinclair WY 82334</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p style="text-align: center;">7005 1820 0005 1462 3181</p>	