



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

June 26, 2007

Mr. Tom Crull
Refinery Manager
Sinclair Casper Refining Company
P.O. Box 510
Evansville, WY 82636

Re: Notice of Violation

Dear Mr. Crull:

Enclosed you will find a Notice of Violation (NOV) issued to Sinclair Casper Refining Company by the Department of Environmental Quality, Air Quality Division for failing to conduct NOx emission testing on the B-3 No. 4 Crude Heater at least once during the permit term as required by permit 30-151-1. This violation was determined based on the Air Quality Division's review of a letter submitted by Sinclair Casper Refining Company dated January 16, 2007.

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 Ms. Karen Godman, 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 the Notice of Violation, please feel free to contact me or Ms. Karen Godman.

Sincerely,

David A. Finley
Administrator
Air Quality Division

cc: Nancy Vehr
Robert Gill
Karen Godman
Chris Hanify
Keith Guille



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

**IN THE MATTER OF THE NOTICE OF
VIOLATION ISSUED TO SINCLAIR CASPER
REFINING COMPANY, MR. TOM CRULL,
REFINERY MANAGER, P.O. BOX 510,
EVANSVILLE, WYOMING 82636**

**DOCKET NO.
4108-07**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Sinclair Casper Refining Company (Sinclair Casper) to be in violation of permit 30-151-1 issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 3 of the Wyoming Air Quality Standards and Regulations in failing to test the B-3 No. 4 Crude Heater at the Casper Refinery located in Natrona 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 3 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedures for issuing permits to major sources under Wyoming's operating permitting program.

4. Permit 30-151-1 was issued to Sinclair Casper on November 24, 2004. Condition F17(b) of permit 30-151-1 states, "The permittee shall test the No. 4 Boiler (unit BL-206), No. 5 Boiler (unit BL-938), B-3 No. 4 Crude Heater (unit HT-2021)...at least once during the permit term to assess compliance with the NOx emission limits in condition F5 of this permit..."

5. Sinclair Casper Refining Company submitted a letter dated January 16, 2007 which stated that the NOx emission testing on the B-3 No. 4 Crude Heater (HT-2021) had not been conducted.

6. Said violation consists of failing to conduct NOx emission testing on the B-3 No. 4 Crude Heater (HT-2021) at least once during the permit term as required by permit 30-151-1.

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.

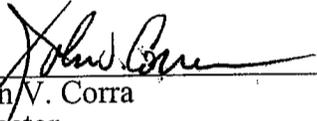
8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

Sinclair Casper Refining Company
Notice of Violation
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DATED this 12 day of July, 2007.



David A. Finley
Administrator
Air Quality Division



John V. Corra
Director
Department of Environmental Quality

Please direct all inquiries to David 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)