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

November 6, 2007

Mr. Cal Seneca
Health, Safety and Environmental Manager
J.P. Oil Company
P.O. Box 52584
Layfayette, LA 70508

RE: Notice of Violation

Dear Mr. Seneca:

Enclosed is a Notice of Violation issued to J.P. Oil Company for failing to obtain a construction permit prior to constructing the Rohlff Central Tank Battery located in Niobrara County, Wyoming. This violation was discovered during a review of the permit application for the Rohlff Central Tank Battery. J.P. Oil Company constructed and began operating the Rohlff Central Tank Battery in 1997. A permit application was received by the Division on February 17, 2006.

As the Department and this Division consider the failure to comply with air quality regulatory requirements to be a serious matter, I am considering 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 referral to 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 this matter, please feel free to contact me or Ms. Karen Godman.

Sincerely,

David A. Finley
Administrator
Air Quality Division

cc: Bob Gill
Glenn Spangler
Keith Guille
Nancy Vehr

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION	)	
ISSUED TO J.P. OIL COMPANY,	)	**DOCKET NO. 4174-07**
MR. CAL SENECA,	)	
HEALTH, SAFETY & ENVIRONMENTAL MANAGER,	)	
P.O. BOX 52584, LAYFAYETTE, LA 70508	)	

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found J.P. Oil Company to be in violation of 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 construction of the wet gas/condensate production facility Rohlff Central Tank Battery located in Niobrara County, Wyoming.

2. W.S. 35-11-801(c) states, "A permit to construct is required before the construction or modification of any industrial facility capable of causing or increasing air or water pollution in excess of standards established by the department is commenced."

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. Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations states, "Any person who plans to construct any new facility or source, modify any existing facility or source, or to engage in the use of which may cause the issuance of or an increase in the issuance of air contaminants into the air of this state shall obtain a construction permit from the State of Wyoming, Department of Environmental Quality, before any actual work is begun on the facility."

5. J.P. Oil Company sent in a permit application for the Rohlff Central Tank Battery on February 17, 2006. The Air Quality Division's review of the application indicated the Rohlff Central Tank Battery has been in operation since 1997 and no prior permits had been issued for the facility.

6. Said violation consists of the failure to obtain a construction permit prior to constructing the Rohlff Central Tank Battery in violation of W.S. 35-11-801(c) of the Wyoming Environmental Quality Act and Chapter 6, Section 2(a)(i) of the Wyoming Air Quality Standards and Regulations.

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 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 13th day of November, 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.)