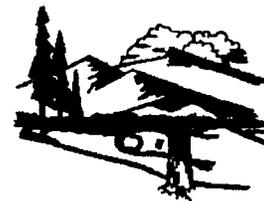




# Department of Environmental Quality



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

December 30, 2009

Mr. Mike Hohn  
OCI Wyoming, L.P.  
PO BOX 513  
Green River, WY 82935

Re: Notice of Violation

Dear Mr. Hohn:

Enclosed you will find a Notice of Violation (NOV) issued to OCI Wyoming, L.P. by the Department of Environmental Quality, Air Quality Division, for the Big Island Mine & Refinery located in Sweetwater County, Wyoming. The violation consists of failing to comply with particulate emission limits for the 4SC-12A Unit 4 Soda Ash Dryer & Cooler/Classifier. This is a violation of condition F4 of permit 3-1-119.

As the Department and this Division consider the failure to comply with air quality permit conditions 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 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  
Tony Hoyt  
Nancy Vehr  
Keith Guille

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

ADMIN/OUTREACH (307) 777-7937 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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**BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION )  
ISSUED TO OCI WYOMING, L.P., )  
MR. MIKE HOHN, SITE MANAGER, P.O. BOX 513, )  
GREEN RIVER, WY 82935 )**

**DOCKET NO. 4617-10**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found OCI Wyoming, L.P. to be in violation of permit 3-1-119 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 the operation of the Big Island Mine & Refinery located in Sweetwater 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 3-1-119 was issued to OCI Wyoming, L.P. on or about July 12, 2006. Condition F4 of permit 3-1-119 limits the particulate emissions from the 4SC-12A Unit 4 Soda Ash Dryer & Cooler/Classifier to 37.90 lb/hr.

5. Stack testing conducted June 23, 2009 for the 4SC-12A Unit 4 Soda Ash Dryer & Cooler/Classifier showed a result of 51.5 lb/hr for particulate emissions (135.9% of the 37.9 lb/hr limit). Failure to meet emission limits for particulate constitutes a violation of condition F4 of permit 3-1-119.

6. Said violation consists of failing to meet particulate emission limits from the 4SC-12A Unit 4 Soda Ash Dryer & Cooler/Classifier as required in permit 3-1-119. This is a violation of condition F4 of permit 3-1-119.

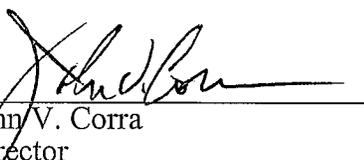
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental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

DATED this 31<sup>st</sup> day of December, 2009.



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)