



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

John Corra, Director

MEMORANDUM

TO: Nancy Vehr, Assistant Attorney General, State of Wyoming

FROM: John V. Corra, Director, DEQ
Steven A. Dietrich, Administrator, Air Quality Division *SAD*

SUBJECT: TATA Chemicals (Soda Ash) Partners - Notice of Violation
Docket No. 5029-12

Date: August 14, 2012

Attached is a copy of a Notice of Violation (NOV) issued to TATA Chemicals (Soda Ash) Partners at the Green River Works for the failure to: 1) comply with the opacity limits for GR-3 #1 Calciner & GR-3 #2 Calciner as required by conditions F5 & F14 of permit 3-1-123-1, 2) comply with the SO₂ limit for GR-2-L Boiler as required by condition F6 & P60-D1 of permit 3-1-123-1 and §60.45 and 3) comply with particulate emissions limits for the GR-3-D and GR-3-E Calciners as established in condition F5 of permit 3-1-123-1.

Referral to the State Attorney General's office is consistent with the Department's policy of obtaining penalties in cases of failure to comply with air quality permit requirements.

It is hereby requested that you take appropriate enforcement action to resolve this violation, collect a penalty and, if necessary, file a complaint in District Court.

If you have any questions, feel free to contact the Air Quality Division.





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Matthew H. Mead, Governor

John Corra, Director

August 14, 2011

Mr. Randy Pitts,
Plant Manager
TATA Chemicals (Soda Ash) Partners
P.O. Box 551
Green River, WY 82935

Re: Notice of Violation

Dear Mr. Pitts:

Enclosed you will find a Notice of Violation (NOV) issued to TATA Chemicals (Soda Ash) Partners at the Green River River Works for the failure to: 1) comply with the opacity limits for GR-3 #1 Calciner & GR-3 #2 Calciner as required by conditions F5 & F14 of permit 3-1-123-1, 2) comply with the SO₂ limit for GR-2-L Boiler as required by condition F6 & P60-D1 of permit 3-1-123-1 and §60.45 and 3) comply with particulate emissions limits for the GR-3-D and GR-3-E Calciners as established in condition F5 of permit 3-1-123-1.

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

Sincerely,

Steven A. Dietrich
Administrator
Air Quality Division

cc: Bob Gill
Tony Hoyt
Nancy Vehr
Keith Guille



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

**IN THE MATTER OF THE NOTICE OF VIOLATION)
ISSUED TO TATA CHEMICALS (SODA ASH) PARTNERS) DOCKET NO. 5029-12
MR. RANDY PITTS, PLANT MANAGER)
P.O. BOX 551)
GREEN RIVER, WYOMING 82935-0551)**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found TATA Chemicals (Soda Ash) Partners to be in violation of permit 3-1-123-1 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 the operation of the Green River Works 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 3-1-123-1 was issued to TATA Chemicals (Soda Ash) Partners on or about November 30, 2010. Condition F5(a) of permit 3-1-123-1 limits the visible and particulate emissions from sources in Table I and specifically GR-3 #1 Calciner w/ESP control (Source GR-3-D) and GR-3 #2 Calciner w/ESP control (Source GR-3-E) to a visible emission limit of 20% opacity. Condition F14(c) of permit 3-1-123-1 requires periodic monitoring of visible emissions from the electrostatic precipitator controlled GR-3 calciner stacks (units GR-3-D & GR-3-E) to consist of the Continuous Opacity Monitoring (COMs) systems. The GR-3 calciner COMs is to be calibrated and operated as described in the QA plan.

5. During the Air Quality Division's review of Continuous Opacity Monitoring (COM) Reports, it was discovered that TATA Chemicals (Soda Ash) Partners had failed to comply with the opacity limit of 20% for GR-3 calciner stacks (units GR-3-D & GR-3-E) for 1st quarter 2012. Review of the reports showed opacity limits were exceeded for GR-3 #1 Calciner w/ESP control (Source GR-3-D) for the 1st quarter of 2012 at 7.0% of the operating time and the GR-3 #2 Calciner w/ESP control (Source GR-3-E) for the 1st quarter 2012 at 6.3% of the operating time. Noncompliance with opacity limits for calciners #1 & #2 are violations of conditions F5 & F14 of permit 3-1-123-1.

6. Permit 3-1-123-1 was issued to TATA Chemicals (Soda Ash) Partners on or about November 30, 2010. Condition F16(a) of permit 3-1-123-1 requires periodic monitoring of Sulfur Dioxide (SO₂) for the C & D boilers (units GR-2-L & GR-3-W) as described in condition P60-D1 and §60.45.

7. During the Air Quality Division's review of Continuous Emission Monitoring (CEM) Reports, it was discovered that TATA Chemicals (Soda Ash) Partners had failed to comply with the SO₂ limit of 1.2 lb/MMBtu for GR-2-L boiler (unit GR-2-L) for first quarter of 2012. Review of the reports showed SO₂ limits were exceeded for GR-2-L for the 1st quarter 2012 at 7.7%. Noncompliance with the SO₂ limit for the GR-2-L boiler is a violation of condition F16 of permit 3-1-123-1.

8. Operating permit 3-1-123 was issued to TATA Chemicals (Soda Ash) Partners on or about November 30, 2010. Condition F5 of permit 3-1-123-1 requires that all sources listed in Table I shall not exceed the

TATA Chemicals (Soda Ash) Partners
Notice of Violation
Page 2 of 2

limits specified. Table I limits allowable emissions from the GR-3 #1 Calciner with ESP control (GR-3-D) and GR-3 #2 Calciner with ESP control (GR-3-E) for particulate at 37.90 lb/hr.

9. TATA Chemicals performed particulate emissions sampling on the both the GR-3-D and GR-3-E Calciners on May 22, 2012. The Air Quality Division's review of the stack test report determined TATA Chemicals exceeded the permitted particulate emission limit with a measured emission rate of 89.93 lb/hr, (137% above the 37.90 lb/hr limit) on GR-3-D and a measured emission rate of 58.70 lb/hr, (55% above the 37.90 lb/hr limit) on GR-3-E.

10. Said violations consist of the failure to: 1) comply with the opacity limits for GR-3 #1 Calciner & GR-3 #2 Calciner as required by conditions F5 & F14 of permit 3-1-123-1, 2) comply with the SO₂ limit for GR-2-L Boiler as required by condition F6 & P60-D1 of permit 3-1-123-1 and §60.45 and 3) comply with particulate emissions limits for the GR-3-D and GR-3-E Calciners as established in condition F5 of permit 3-1-123-1.

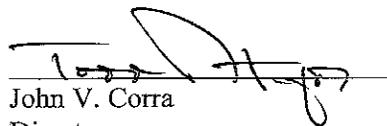
11. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental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

12. 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 14th day of AUGUST, 2012.



Steven A. Dietrich
Administrator
Air Quality Division



John V. Corra
Director
Department of Environmental Quality

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