



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

Todd Parfitt, Director

July 16, 2013

Ms. Kristi Unzicker
Manager Environmental and Marine Compliance
Antelope Refining, LLC
919 Milam, Suite 2100
Houston, TX 77002

RE: Notice of Violation

Dear Ms. Kristi Unzicker:

Enclosed you will find a Notice of Violation (NOV) issued to Antelope Refining, LLC by the Department of Environmental Quality, Air Quality Division, for the failure to shut down the two Born crude charge heaters at the Douglas Refinery located in Converse County, Wyoming. This constitutes a violation of condition 27 of permit MD-11913.

As the Department and this Division consider the failure to comply with air quality permit conditions 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,

Steven A. Dietrich
Administrator
Air Quality Division

cc: Karen Godman
Greg Meeker
Jeremiah Williamson
Keith Guille



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

IN THE MATTER OF THE NOTICE OF VIOLATION)
ISSUED TO ANTELOPE REFINING, LLC) DOCKET NO. 5181-13
MS. KRISTI UNZICKER)
919 MILAM, SUITE 2100)
HOUSTON, TX 77002)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Antelope Refining, LLC to be in violation of permit MD-11913 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 for the Douglas Refinery facility located in Converse County, Wyoming.

2. W.S. 35-11-801(a) 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-11913 was issued to Graco Energy LLC on March 20, 2012 for the Douglas Refinery. This facility and applicable permits transferred to Antelope Refining, LLC on or about April 11, 2012. Condition 27 of permit MD-11913 limits operation of the two Born crude charge heaters as follows:

"The authorization to operate the two (2) 7.0 MMBtu/hr Born crude charge heaters shall expire on July 1, 2013."

5. Antelope Refining, LLC notified the Division that the two Born crude charge heaters were still operating as of July 12, 2013. The failure to shut down the heaters as required is a violation of condition 27 of permit MD-11913.

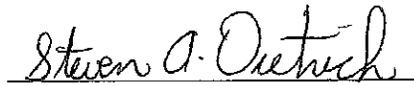
6. Said violation consists of the failure to shut down the two Born crude charge heaters, which is a violation of condition 27 of permit MD-11913.

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.

Antelope Refining, LLC
Notice of Violation
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DATED this 16th day of JULY, 2013.



Steven A. Dietrich
Administrator
Air Quality Division



Todd Parfitt
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.)