



# 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

September 24, 2014

Mr. Tim Brown  
Solvay Soda Ash Joint Venture  
P.O. Box 1167  
Green River, WY 82935

Re: Notice of Violation

Dear Mr. Schofield:

Enclosed you will find a Notice of Violation (NOV) issued to Solvay Soda Ash Joint Venture by the Department of Environmental Quality, Air Quality Division, for the failure to comply with permitted PM<sub>10</sub> limits from the Calciners 1 and 2 (Source ID #17), in violation of condition (F5) of permit 3-1-126 at the Solvay Soda Ash facility located in Sweetwater County, Wyoming.

As the Department and this Division consider the failure to comply with permit requirements to be a serious matter, 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. Ann Shed, 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. Ann Shed.

Sincerely,

Steven A. Dietrich  
Administrator  
Air Quality Division

cc: Fred DiLella  
Ann Shed  
Tony Hoyt  
Elizabeth Lyon  
Landon Brown



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

**IN THE MATTER OF THE NOTICE OF VIOLATION )  
ISSUED TO SOLVAY SODA ASH JOINT VENTURE ) DOCKET NO. 5455-14  
MR. TIM BROWN )  
P.O. BOX 1167 )  
GREEN RIVER, WY 82935 )**

**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality, has found Solvay Soda Ash Joint Venture to be in violation of operating permit 3-1-126 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 for the Green River Soda Ash Plant facility located in Sweetwater 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 3 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedure for issuing permits to major sources under Wyoming's operating permitting program.
4. Operating permit 3-1-126, was issued to Solvay Soda Ash Joint Venture on January 17, 2013. Condition (F5) of this permit sets the limits for the Calciners 1 and 2 (also referred to as "A" & "B" Calciners) (Source ID #17) as follows:

SOURCE ID#	SOURCE DESCRIPTION	PM <sub>10</sub>		
		gr/dscf	lb/hr	TPY
17	"A" & "B" Calciners		30.0	

5. Condition (F12)(a)(iii) of operating permit states:

*"For particulate emissions from the trona and soda ash sources, emissions shall be measured using Method 5 sampling trains with the back half impinger catch analyzed by the protocol defined by Method 202. To determine compliance for any particular stack, the Division will compare the sum of the Method 5 front half particulate catch and the inorganic (mineral) portion of the Method 202 back half of these Method 5/202 tests, against the particulate limits indicated in condition F5."*

6. On June 13, 2014, emission testing was performed, as required by operating permit 3-1-126, for the Calciners 1 and 2 (Source ID# 17) located at the Green River Soda Ash Plant. On August 5, 2014, the Air Quality Division received the stack test results for the testing performed on June 13, 2014. The results reflected that the measured filterable inorganic particulate emissions were 37.30 lb/hr and the condensable inorganic particulate emissions were 5.16 lb/hr. The total inorganic particulate matter (the sum of the two values) was 42.46 lb/hr, exceeding the limit of 30.0 lbs/hr, as set in operating permit 3-1-126. The two calciners share a common stack.

7. Said violation consists of a failed emission test for PM<sub>10</sub> at the Green River Soda Ash Plant. This is a violation of condition (F5) of operating permit 3-1-126.

8. 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.

9. 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 24<sup>th</sup> day of SEPTEMBER, 2014.



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.)