



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

June 24, 2015

Mr. Casey Mueller
TATA Chemicals (Soda Ash) Partners
PO Box 551
Green River, WY 82936-0551

Re: Notice of Violation, Docket #5589-15

Dear Mr. Mueller,

Enclosed you will find a Notice of Violation (NOV) issued to TATA Chemicals (Soda Ash) Partners for the failure to comply with the opacity limit for the C boiler as required by permit MD-129A. This was discovered through the Division's review of Continuous Opacity Monitoring (COM) reports submitted by TATA Chemicals (Soda Ash) Partners for the Green River Works located in Sweetwater County, which showed the opacity limit was exceeded for the second quarter of 2014 and the first quarter of 2015. Noncompliance with the opacity limit is a violation of condition 9 of permit MD-129A.

As the Department and this Division consider the failure to comply with air quality permitting requirements to be a serious matter, I am considering recommending the Department refer these violations 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. 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
Landon Brown
Tony Hoyt
Elizabeth Lyon



**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. 5589-15
MR. CASEY MUELLER)
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 MD-129A 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 facility 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 MD-129A was issued January 23, 1996 to General Chemical Corporation for the Green River Works facility. This facility and applicable permits transferred to TATA Chemicals (Soda Ash) Partners on or about September 9, 2011. Condition 9 of this permit limits visible emissions from the sources in Table 1, and specifically the C boiler w/ESP control (source GR-2-L), to 20% opacity.

5. 40 CFR 60 Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators, requires periodic monitoring of visible emissions from the C boiler to consist of the Continuous Opacity Monitoring (COMs) system described in §60.45 of Subpart D.

6. During a review of the Continuous Opacity Monitoring (COM) reports by the Air Quality Division, it was discovered that TATA Chemicals (Soda Ash) Partners had failed to comply with the opacity limit of 20% for the C boiler during the second quarter of 2014 and the first quarter of 2015. The review showed opacity limits were exceeded 3.4% of the time for the second quarter of 2014, and 3.8% of the time for the first quarter of 2015. Noncompliance with the opacity limit for the C boiler is a violation of condition 9 of permit MD-129A.

7. Said violation consists of the failure to comply with the opacity limit for the C boiler as required by condition 9 of permit MD-129A.

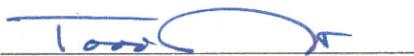
8. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental 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 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 24th day of JUNE, 2015.



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.)