



# 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

March 30, 2006

Certified #: 7004 2890 0004 5120 1319

Return Receipt Requested

Paul Murdoch  
Owner  
Murdoch Oil Inc.  
140 North 6th Street  
Greybull, WY 82426

## RE: Issuance of Notice of Violation

Dear Mr. Murdoch:

Enclosed is a Notice of Violation (NOV) issued to your facility for violation(s) of the Wyoming State Hazardous Waste Rules and Regulations (HWRR). Specifically, the NOV has been issued for the following violation(s):

1. A permit has not been issued for the disposal of the petroleum stained soils located south and directly adjacent to the garage building on the property. [Chapter 1, Section 1(f), of the Wyoming Solid Waste Rules and Regulations (SWRR)]
2. It was determined that the total onsite used oil storage capacity at the time of the inspection was greater than 1,320 gallons of used oil (total onsite used oil storage capacity was 1,760 gallons) and Murdoch Oil did not have the required SPCC plan and/or the required secondary containment [HWRR, Chapter 12, Section 11 (c)]
3. There were two separate areas of used oil contaminated soils located in the drum storage area. The facility was unable to provide evidence that the generator took the required steps to stop the used oil release, contain the release, and clean up and properly manage the released used oil and other materials. [HWRR, Chapter 12, Section 11(c)(iv)]

To avoid further enforcement action being taken by this department, the following actions must be taken to correct the above violations:

- A. The petroleum stained soils located in the area adjacent to the garage building, need to be properly removed, stored and treated/disposed in accord with the attached Solid Waste Guideline #2 (See attachment) Please contact this office should you have any questions about following this guideline.



2302

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

ADMIN/OUTREACH  
(307) 777-7758  
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 777-6937

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



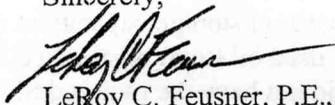
- B. You had indicated during the inspection, that the total amount of used oil storage capacity onsite would be reduced to 1,000 gallons. If you take the proper measures to assure a total used oil storage capacity less than 1,320 gallons, the SPCC requirement would no longer be applicable.
- C. The used oil contaminated soils located in the two areas needs to be properly excavated and stored on plastic surrounded by dirt berms until test results are received to determine whether or not the soils would be classified as hazardous wastes. (See Table Appendix A of the Guideline #2 for the parameters that need to be tested for used oil contaminated soils) If the soils are not classified as hazardous, they need to be managed in accord with the disposal provisions of Guideline #2.

To assure all of the above violations have been adequately addressed, we are requesting that you send written documentation to the department including photos for our review within sixty (60) days of your receipt of this NOV.

The enclosed NOV does not constitute an Order, under Article 7 of the Wyoming Environmental Quality Act.

If you have any questions regarding this letter or the attached notice of violation, please feel free to contact me at (307) 777-7753 or Tim Link at (307) 777-7752.

Sincerely,



LeRoy C. Feusner, P.E., BCEE  
Administrator  
Solid and Hazardous Waste Division

Enclosures: copies of Solid Waste Guideline #2, inspection checklist, NOV

- C: Mike Barrash, State Attorney General Office, Cheyenne  
Bob Breuer, I&C Program Manager, WDEQ/SHWD Casper Office, Casper  
Murdoch Oil HW Generator File

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

IN THE MATTER OF THE  
NOTICE OF VIOLATION  
ISSUED TO:

PAUL MURDOCH, OWNER  
MURDOCH OIL INC.  
140 NORTH 6TH STREET  
GREYBULL WY 82426

)  
)  
) DOCKET NO.: 3861-06  
)  
)

**NOTICE OF VIOLATION**

NOTICE IS HEREBY GIVEN THAT:

1. On March 8, 2006, Mr. Tim Link of the Wyoming Department of Environmental Quality conducted an inspection of the used oil storage area located on your property, approximately 0.2 mile off Highway 16/20 SW of Greybull, WY. The purpose of the inspection was to evaluate whether the used oil storage was in compliance with the Wyoming Hazardous Waste Rules and Regulations (HWRR), Chapter 12, Section 11, Standards For The Management Of Used Oil and the Wyoming Solid Waste Rules and Regulations (SWRR).
2. Chapter 1, Section 1(f), of the Wyoming Solid Waste Rules and Regulations (SWRR), states:  

A permit or a one-time or emergency disposal authorization is required for the location, construction, operation or closure of any new or existing solid waste management facility as specified by Chapter 1, Section 1(f), or by the applicable chapter(s) of these rules and regulations. All facilities shall be located, designed, constructed, operated and closed in accordance with the permit or disposal authorization issued by the director or administrator.

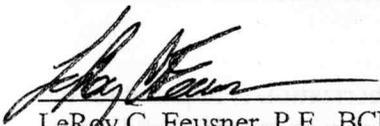
A permit has not been issued for the disposal of the petroleum stained soils located south and directly adjacent to the garage building on the property.
3. It was determined that the total onsite used oil storage capacity at the time of the inspection was greater than 1,320 gallons of used oil (total onsite used oil storage capacity was 1,760 gallons) and Murdoch Oil did not have the required SPCC



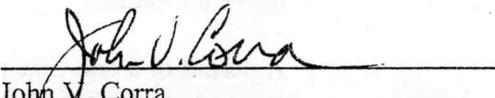
plan and/or the required secondary containment [Used Oil Generator Standards: HWRR, Chapter 12, Section 11 (c)]

4. HWRR, Chapter 12, Section 11(c)(iv), requires used oil generators to take the required steps to stop, contain, clean up, and properly manage the used oil and other materials from used oil spills and releases. There were at least two (2) separate used oil spill areas that were underlying the drums and containers in the used oil storage area and there was no evidence that Murdoch Oil Inc. had taken any steps to properly stop, contain, cleanup, and properly manage the released used oil and other materials in the spill/release areas. Therefore, Murdoch Oil Inc., was in violation of Chapter 12, Section 11(c)(iv) for failure to properly stop, contain, clean up, and properly manage the released used oil and other materials.
5. ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and
6. THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 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.

Signed this 30TH day of MARCH, 2006



LeRoy C. Feusner, P.E., BCEE  
Administrator  
Solid & Hazardous Waste Division



John V. Corra  
Director  
Dept. of Environmental Quality

