BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

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| IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO: | ) | |
| Tom Heinz<br>Siete Corporation<br>706 South Main<br>Aberdeen, SD 57401 | ) | DOCKET NUMBER 4152-07 |

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Siete Corporation is the owner and operator of seven underground storage tanks (USTs), located at the Coffee Cup Fuel Stop #5, I-90 and Wyoming 16, Moorcroft, Wyoming. These USTs are registered with the Storage Tank Program as facility 0-002907. Six of these tanks are steel USTs protected against corrosion using sacrificial anodes. On January 10, 2007 a cathodic protection test was performed on the six steel USTs. This test was clearly marked as a failing result for four of the USTs. On January 17, 2007, Seite Corporation was notified by letter by the Storage Tank Program that the test had failed and that the system had to be repaired and retested. The cathodic protection system has not been repaired and retested.

2. Siete Corporation has failed to repair a failing cathodic protection system for nine months.

3. Wyoming Water Quality Rules and Regulations, Chapter 17, Section 11, states: "**Operation and Maintenance of Corrosion Protection (CP).** All owners and/or operators of steel storage tank systems with CP shall comply with the following requirements to ensure that releases due to corrosion are prevented for as long as the storage tank system is used to store regulated substances: (a) Continuous Operation. All CP systems shall be operated and maintained to continuously provide corrosion protection to the metal components of that portion of the tank and piping that routinely contain regulated substances and are in contact with the ground. Once installed, CP systems shall not be removed, even if the tank has also been internally lined, as long as steel tanks or connected piping exist on that site. This does not preclude replacement of parts of the CP system which have become defective. (b) Periodic Inspections. All storage tank systems equipped with CP systems shall be inspected for proper operation by a qualified CP tester in accordance with the following requirements: (i) All CP systems shall be tested within six (6) months of installation and at least once every three (3) years thereafter. (ii) The criteria that are used to determine that CP is adequate shall be in accordance with the NACE Standard RP0285-2002, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems". (iii) All CP systems shall be tested within six months of any repair or substantial modification to the storage tank system, or any other installation on the facility requiring excavation, in accordance with NACE Standard RP0285-2002."

4. By failing to repair and re-test a failing cathodic protection system, Siete Corporation has violated, Chapter 17, Section 11, Wyoming Water Quality Rules and Regulations.

5. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), 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.

NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 19 day of OCTOBER, 2007

John V. Corra
Director
Department of Environmental Quality

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

PLEASE DIRECT ALL INQUIRES TO: Robert Lucht, P.E. & P.G., Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7095 or (307) 777-5973 FAX or blucht@state.wy.us, for technical matters.

RFL/KH/LCF/JVC