

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)

Steve Perkins)
Perkins Oil Company)
P. o. Box 1068)
Rawlins, WY 82301)

DOCKET NUMBER: 4203-08

Ken Waldner)
Wamsutter Conoco)
390 McCormick Street)
Wamsutter, WY 82336)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

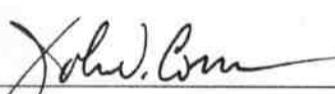
1. Perkins Oil Company is the registered owner of the four underground storage tanks (USTs) located at the Wamsutter Conoco, is registered as facility 0-002887. Ken Waldner of Wamsutter Conoco is registered as the operator of these USTs. The four USTs at Wamsutter Conoco are single wall, bare steel tanks protected against corrosion using an impressed current Cathodic Protection (CP) system.
2. Perkins Oil Company and Wamsutter Conoco are required to perform a test of the Cathodic Protection (CP) system on the steel tanks once every three (3) years. The last test of the CP system was due on September 17, 2006 and was not conducted until November 12, 2007. Perkins Oil Company was contacted repeatedly and informed that this testing was past due. An inspection was conducted December 5, 2007. During that inspection, it was discovered that neither Perkins Oil Company nor Wamsutter Conoco tested this CP system until that test was four hundred, twenty one (421) days past due.
3. Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 11 (b), states: “Section 11. 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: (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’.”
4. By failing to conduct a test of the CP system on USTs when that test was due on September 17, 2006, Perkins Oil Company and Wamsutter Conoco have violated WWQRR, Chapter 17, Section 11 (b).

Notice of Violation, Docket Number 4203-08
Perkins Oil Company and Wamsutter Conoco

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 persons 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 8 day of January, 2008



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 for technical matters.

JVC/LCF/RFL:/