

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

IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:

SUNLIGHT RANCH COMPANY)	
DAVID E. STICE)	
CORPORATE ATTORNEY)	DOCKET NO.: 4195-07
550 EAST SOUTH TEMPLE)	
SALT LAKE CITY, UTAH 84102)	

CORRECTED NOTICE OF VIOLATION

The correction for the Notice of Violation (NOV) is that the NOV should have been issued to Mr. David Stice of the Sunlight Ranch Company and not to Mr. Philip Bunten, Environmental Compliance Coordinator for the Sinclair Wyoming Refining Company.

NOTICE IS HEREBY GIVEN THAT:

1. On October 18 and 19, 2007, Wyoming Department of Environmental Quality (WDEQ), Solid and Hazardous Waste Division (SHWD) personnel, Mr. Timothy Moe, conducted inspections of the Sunlight Ranch Company's Powell Unit facility located at 1411 Lane 9 near Powell, Wyoming [NE ¼ of Section 11, T. 55 N., R. 100 W., 6TH P.M.] and the Sunlight Ranch Company's Clarks Fork Unit facility located near the Clarks Fork of the Yellowstone River located in the vicinity of Clark, Wyoming [NE ¼ of Section 30, T. 58 N., R. 101 W., 6TH P.M.] to evaluate compliance with the Wyoming Environmental Quality Act (EQA), the Wyoming Solid Waste Rules and Regulations (SWRR) and Hazardous Waste Rules and Regulations (HWRR).

2. The inspections revealed the following violations of the Wyoming EQA, SWRR and HWRR:

Count 1. The Company does not have an authorized permit to locate, construct, operate or close a solid waste management facility [Wyoming Statute §35-11-502(a)(i)]. The Company's Powell Unit facility located near Powell, Wyoming was disposing: 1) municipal solid wastes [dead animals (cattle)] on the ground surface [an open dump] of the Powell Unit facility and in one of two open pits [an open dump] located on the Clarks Fork Unit facility within alluvium approximately 200 feet from the Clarks Fork of the Yellowstone River; and 2) solid wastes [e.g., used tractor tires, heavy plastics, various metals, white goods, treated woods, and other unidentified materials] in one of two open pits (open dumps) located on the Clarks Fork Unit facility within alluvium approximately 300 yards from the Clarks Fork of the Yellowstone River in the vicinity of Clark, Wyoming.

Therefore, the Company's Powell Unit facility was operating solid waste management facilities on the Company's Powell Unit and Clarks Fork Unit facility properties without authorized permits in violation of the EQA, Wyoming Statute §35-11-502(a)(i).

Count 2. The Company was conducting prohibited acts of open dumping [SWRR, Chapter 1, Section 1(h)(i)]. The Powell Unit facility was disposing: 1) municipal solid wastes [i.e., dead animals (cattle)] on the ground surface (an open dump) of the Powell Unit facility and in one of two open pits [an open dump] located on the Clarks Fork Unit facility located within alluvium approximately 200 feet from the Clarks Fork of the Yellowstone River; and 2) solid wastes [e.g., used tractor tires, heavy plastics, white goods, treated woods, and other unidentified materials] in an open pit [an open dump] located within alluvium approximately 300 yards from the Clarks Fork of the Yellowstone River on the Clarks Fork Unit facility in the vicinity of Clark, Wyoming.

Chapter 1, Section 1(e) of the SWRR, defines 'open dump' as: "an uncontrolled solid waste management facility at which solid wastes are placed on the land in such a manner that they



present a real or potential hazard to public health and the environment. Open dump includes any solid waste management facility subject to the permitting requirements of these rules and regulations which does not have a current, valid permit.”

Therefore, the Company’s Powell Unit facility was in violation of SWRR, Chapter 1, Section 1(h)(i) for the prohibited act of open dumping of municipal solid wastes and solid wastes on the Powell Unit and Clarks Fork Unit facilities.

Count 3. The Company was conducting prohibited acts of open burning [SWRR, Chapter 1, Section 1(h)(v)]. The Company’s Powell Unit and Clarks Fork Unit facilities were found to have been frequently burning solid wastes [e.g., used tractor tires, heavy plastics, white goods, treated woods, and other unidentified materials] in a pit [an open dump] located in alluvium approximately 300 yards from the Clarks Fork of the Yellowstone River on the Clarks Fork Unit facility located in the vicinity of Clark, Wyoming.

Chapter 1, Section 1(e) of the SWRR, defines ‘open burning’ as: “uncontrolled burning of solid waste in the open.”

Therefore, the Company’s Sunlight Ranch Company’s Powell Unit facility was in violation of SWRR, Chapter 1, Section 1(h)(v) for the prohibited act of open burning.

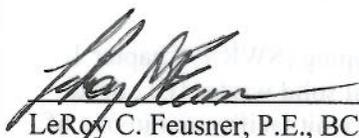
Count 4: There was an area of used oil/ spills and used oil-contaminated soils at the Company’s Sunlight Ranch Company’s Powell Unit facility located near Powell, Wyoming, in the facility’s post treatment area [HWRR, Chapter 1, Section 11(c)(iv)(A through D)]. Therefore, the Company was in violation of HWRR, Chapter 1, Section 11(c)(iv)(A through D) for failing to respond to spills and cleaning up used oil-contaminated soils at the Sunlight Ranch Company’s Powell Unit facility located near Powell, Wyoming.

Count 5: There were seven (7) 55-gallon steel and plastic drum containers containing used oil that had not been properly marked/labeled with the words “Used Oil” at the Company’s Powell Unit facility located near Powell, Wyoming in the facility’s post treatment area [HWRR, Chapter 12, Section 11 (c)(iii)]. Therefore, the Company was in violation of HWRR, Chapter 12, Section 11 (c)(iii) for failure to label or clearly mark containers used for the storage of used oil with the words “Used Oil” at the Company’s Powell Unit facility.

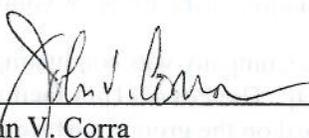
ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and

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 4 day of Feb., 2008.



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



John V. Corra
Director
Dept. of Environmental Quality