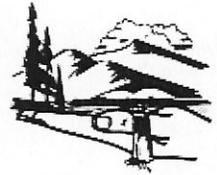




Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

John Corra, Director

August 23, 2011

Jeff Harms
Siete Corporation
706 South Main
Aberdeen, SD 67401

SUBJ: Letter of Compliance For Notice of Violation Docket Number 4851-11
Coffee Cup Fuel Stop #5, Storage Tank Facility Number 0-002907.

Dear Mr. Harms:

On June 27, 2011, the Department of Environmental Quality issued Notice of Violation (NOV) and Order, Docket Number 4851-11, to Siete Corporation. The NOV ordered Siete Corporation, to bring the underground storage tanks (USTs) located at the Coffee Cup Fuel Stop #5 into compliance with Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17.

Since NOV Docket Number 4851-11 was issued, Siete Corporation, has complied with the contents of the NOV and had a proper overfill device installed at Coffee Cup Fuel Stop #5 and has paid the agreed upon penalty as outlined in the settlement agreement. Therefore, Siete Corporation is in full compliance with WWQRR, Chapter 17 Sections: 6(c)(i)(a), 16(c)(i)(b) and 16(a)iv at this time.

Siete Corporation, has fully complied with the conditions in NOV Docket Number 4851-11, and through monitoring and evaluation, the DEQ finds that all terms of the Order have been satisfied.

If you have any questions regarding the storage tank program please do not hesitate to call me at (307) 777-7095 or I can be reached via e-mail at scott.hendrickson@wyo.gov . If you would like to visit our website it is located at <http://deq.state.wy.us/shwd/stp/>

Sincerely,

Scott A. Hendrickson
Storage Tank Program Inspector
Solid and Hazardous Waste Management Division

cc. NOV File
Facility File 0-002907



AUG 23 2011

SETTLEMENT AGREEMENT

The Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division (DEQ) and Siete Corporation, enter into this Settlement Agreement to fully and finally resolve without litigation the violations alleged in Notice of Violation No. 4851-11, dated June 27, 2011. Siete Corporation, is the owner and operator of the underground storage tanks (USTs) located at I-90 and Wyoming 16 Moorcroft, Wyoming. This UST facility is registered with the DEQ as facility 0-002907. The Notice of Violation alleges that Siete Corporation, failed to: operate with an overfill device (which was not present on one tank), operate with a drop tube (for fuel deliveries), and assist with access to areas required for the compliance inspection. These acts are violations of the Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17.

W.S. 35-11-901(a) (ii) authorizes the DEQ to negotiate a stipulated settlement, including payment of a penalty, in lieu of litigation. To that end, Siete Corporation and the DEQ hereby stipulate and agree as follows:

1. The DEQ is responsible for enforcing the Storage Tank Act of 2007 and WWQRR, Chapter 17.
2. Siete Corporation committed the following violations of WWQRR, Chapter 17:

Count 1: Failure to Operate with Overfill Equipment: [WWQRR, Chapter 17, Section 6(c)(i)(A) & 16(c)(i)(B)]. As owner and operator of underground storage tanks, Siete Corporation has violated WWQRR, Chapter 17, Section 6(c), by not operating with an overfill device.

Count 2: Failure to Operate with a Drop Tube: [WWQRR, Chapter 17, Section 16(a)(iv)]. As owner and operator of underground storage tanks, Siete Corporation, has violated WWQRR, Chapter 17, Section 16(a)(iv), by failing to have a drop tube installed during fuel deliveries .

Count 3: Failure to open all Manhole and Dispenser Cabinets During a Compliance Inspection [WWQRR, Chapter 17, Section 13(b)(vi)]. As owner and operator of underground storage tanks, Siete Corporation has violated WWQRR, Chapter 17, Section 13(b)(vi), by failing to provide assistance with the opening of manholes and access areas for the compliance inspection.

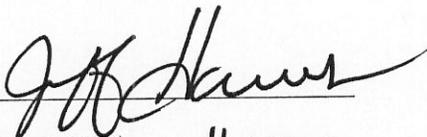
Since receiving the Compliance Inspection Report on or about April 18, 2010, Siete Corporation has corrected the preceding violations.

3. The total penalty for the cited violations shall be one thousand dollars (\$1,000.00). Siete Corporation agrees to pay a total of one thousand dollars (\$1,000.00) to the DEQ as a stipulated penalty for the cited violations. Payment of one thousand dollars (\$1,000.00) shall be made and returned with this Settlement Agreement. Payment shall be by check made payable to the Wyoming Department of Environmental Quality and addressed to the Wyoming Department of Environmental Quality, Attention: Oma Gilbreth, Herschler Building, 4th Floor West Wing, 122 W. 25th Street, Cheyenne, WY 82002.
4. Siete Corporation's full compliance with the terms of this Settlement Agreement shall constitute satisfaction for all claims by the DEQ against Siete Corporation based on the violations alleged in Notice of Violation No. 4851-11. Contingent upon Siete Corporation's compliance with the terms of this Settlement Agreement, the DEQ will refrain from taking further enforcement action against Siete Corporation for these particular violations.
5. Siete Corporation waives any statute of limitations that may apply to an enforcement action by the DEQ involving the specific matters described in Notice of Violation No. 4851-11 in the event that Siete Corporation fails to fulfill its obligations under this Settlement Agreement.
6. This Settlement Agreement shall be admissible by either party without objection by the other party in any subsequent action between these parties.

SETTLEMENT AGREEMENT

- 7. Each party shall bear its own attorney fees and costs, if any, incurred through the date this Settlement Agreement is signed by both parties.
- 8. This Settlement Agreement is binding upon Siete Corporation and all its successors and assigns and upon the DEQ.
- 9. Nothing in this Settlement Agreement supersedes any provision found in any Wyoming state law, or any regulation issued by the Department of Environmental Quality, or any federal law or regulation.
- 10. The persons signing this Settlement Agreement certify that they are duly authorized to bind their respective parties to this Settlement Agreement.

FOR SIETE CORPORATION:

Signature:  8/11/11
 Date
 Name: JEFF HARMS
 Siete Corporation

FOR THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY:

 8/9/11
 Date
 John V. Corra,
 Director

 8/9/11
 Date
 Carl Anderson, PhD
 Administrator
 Solid and Hazardous Waste Division

CHECK # 16881 FOR \$1000.00.
 RECEIVED AUGUST 23, 2011 FROM
 SIETE CORPORATION.
