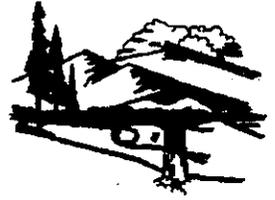




Department of Environmental Quality



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

CERTIFIED MAIL

May 12, 2008

Mr. David J. Danford
Frontier Refining, Inc.
P.O. Box 1588
Cheyenne, Wyoming 82003

RE: Notice of Violation, Docket Number 4252-08

Dear Mr. Danford:

Enclosed is a copy of Notice of Violation, Docket Number 4252-08 issued to Frontier Refining, Inc. (Frontier), for allowing unauthorized discharges to seep from Frontier's production area and enter waters of the state. These unauthorized discharges were first observed by Department of Environmental Quality/Water Quality Division (WDEQ/WQD) staff during an annual site inspection of Frontier on February 27, 2008 and have been observed on several subsequent occasions. These unauthorized discharges are violations of the Wyoming Environmental Quality Act (Act) and the Wyoming Water Quality Rules and Regulations (WWQRR).

While neither the attached Notice of Violation nor this letter constitutes an order, it is the recommendation of this office that you take action to eliminate the alleged violations as follows:

Frontier should inform the Water Quality Division (WQD) in writing of the steps taken to eliminate releases from seeps and remediate any contamination of the adjacent property. This information should be received by the WQD on or before 30 days from the date of this letter.

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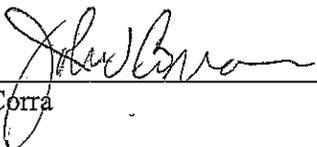
Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 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 777-5973	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
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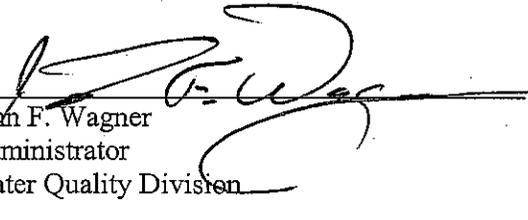


Frontier Refining, Inc.
May 12, 2008
Page 2

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a penalty by Frontier. If Frontier wishes to pursue resolution of the previously noted violations through such an agreement, please contact Mr. Kevin M. Wells, WYPDES Compliance & Enforcement Coordinator at (307) 777-8669, or Mr. Brian K. Lovett, WYPDES Inspection & Compliance Supervisor at (307) 777-5630, within thirty (30) days of the date of this letter to set up a meeting to discuss this matter.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/KMW/bb/8-0361

Enclosure: Notice of Violation
Inspection Report with photographs

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft (PDF)
IPS (for scanning) ► Docket 4252-08
Keith Guille, DEQ Public Information Officer (PDF)

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

**Frontier Refining, Inc.)
P.O. Box 1588)
Cheyenne, Wyoming 82003)**

DOCKET NUMBER 4252-08

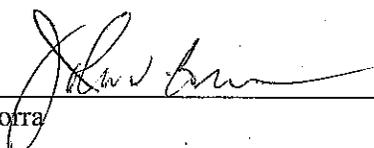
NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

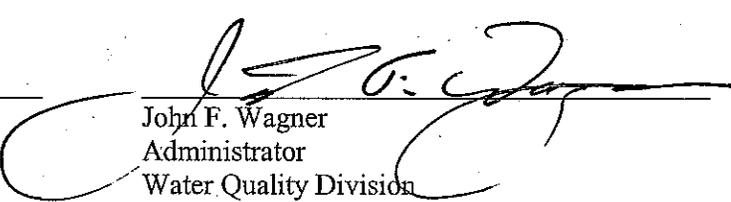
1. Frontier Refining, Inc. (Frontier) is a petroleum refinery located in Sections 5 and 33 of Township 13 North Range 66 West (S5, 33 T13N R66W) in Laramie County, Wyoming;
2. On February 27, 2008, the Department of Environmental Quality (DEQ), Water Quality Division (WQD) conducted an inspection and documented two seeps flowing from the south boundary of Frontier. These seeps have been observed on several subsequent site visits.
3. Analytical results from samples collected at both seeps verify that the discharges contain pollution which is defined in W.S. 35-11-103 (c)(i);
4. The discharges referenced above enter or threaten to enter "waters of the state" as defined under W.S. 35-11-103 (c)(vi).
5. The Department of Environmental Quality has no record of permits authorizing discharge from the observed locations;
6. By discharging pollution into waters of the state, Frontier is in violation of W.S. 35-11-301 (a)(i) and Chapter 2 of the Wyoming Water Quality Rules and Regulations which state that no person, except when authorized by a permit issued by the Department of Environmental Quality, shall cause, threaten, or allow the discharge of any pollution or wastes into the waters of the state;
7. 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;
8. Pursuant to Wyoming Statute 35-11-901(a), any person who violates, or any director, officer, or agent of a corporate permittee who willingly and knowingly authorizes, orders, or carries out the violation of any provision of the Environmental Quality Act (Act), or any rule, regulation, standard, or permit adopted hereunder or who violates any determination or order of the council pursuant to this act or any rule, regulation, standard, permit, license, or variance is subject to a penalty not to exceed ten thousand dollars and no cents (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction. The penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming. Nothing herein shall preclude the department from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules, or other settlement conditions, in lieu of litigation.

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 15 day of May, 2008.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Compliance & Enforcement Coordinator at the Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/KMW/bb/8-0361

Attachment: Inspection Report and Photographs

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft (PDF)
IPS (for scanning) ► Docket 4252-8
Keith Guille, DEQ Public Information Officer (PDF)
DEQ Director