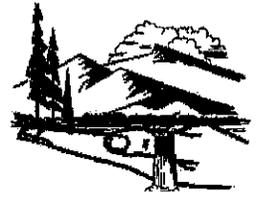




Department of Environmental Quality

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

CERTIFIED MAIL

February 21, 2012

Mr. Douglas Chandler
Dyno Nobel, Inc.
P. O. Box 1287
Cheyenne, WY 82003

RE: Notice of Violation And Order, Docket Number 4962-12

Dear Mr. Chandler:

Attached is a Notice of Violation and Order, Docket Number **4962-12**, for exceeding the maximum surface injection pressure at well DN Injector #1. This is a violation of Underground Injection Control Permit UIC 00-035.

Facility Number	Injection Wells	Permit	Permit Class
WYS-021-045	Well Number 1 Well Number 2 Well Number 3	UIC 00-035	Class I Non-Hazardous

ANY APPEALS TO THE ENVIRONMENTAL QUALITY COUNCIL FROM THE ATTACHED ORDER MUST BE MADE IN WRITING WITHIN THE TEN (10) DAY TIME LIMIT PRESCRIBED BY W.S. 35-11-701(c). Chapter I, Section 3 of the Department of Environmental Quality Rules of Practice and Procedure (<http://soswy.state.wy.us/RULES/5675.pdf>) sets forth the requirements for the initiation of appeal proceedings.

To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first petition shall be mailed to the Chairman of the Environmental Quality Council at Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition should be sent to John V. Corra, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

ADMIN/OUTREACH (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5816	INDUSTRIAL SITING (307) 777-7369 FAX 777-6937	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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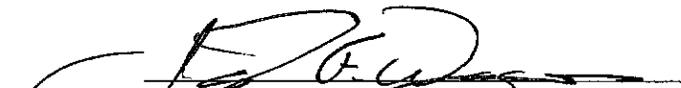


PLEASE DIRECT ALL INQUIRIES TO: Ms. Kathy Shreve, Environmental Program Principal, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone (307) 777-6682.

The WDEQ would appreciate your immediate attention to this matter.



John W. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/KES/bb/12-0114

Attachment: Notice of Violation and Order

cc: Steve Pratt, EPA Region 8
Kevin Frederick, DEQ
John Passehl, DEQ
Kathy Shreve, DEQ
NOV Docket **4962-12**
Environmental Quality Council
Keith Guille, DEQ Public Information Officer (PDF File Only)

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION AND ORDER ISSUED TO:)
)
)
Mr. Douglas Chandler)
Dyno Nobel, Inc.)
P. O. Box 1287)
8305 Otto Road)
Cheyenne, WY 82003)

DOCKET NUMBER 4962-12

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

- Dyno Nobel, Inc.**, hereafter referred to as the Permittee, obtained coverage for injection of 648,000 gallons per day of industrial wastes generated by the manufacture of ammonium nitrate, urea, anhydrous ammonia, dry ice, methyl tert-butyl ether and methanol, stormwater and groundwater runoff from the plant site, into the Hygiene Member of the Pierre Shale Formation, on March 30, 2000 for the following wells:

Facility Number	Injection Wells	Permit
WYS-021-045	Well Number 1 Well Number 2 Well Number 3	UIC 00-035

This permit is currently under administrative continuation pending approval of the permittee's renewal application.

- Dyno Nobel, Inc.** is in violation of Underground Injection Control Permit UIC 00-035, Section D (AUTHORIZED OPERATIONS), for exceeding the permitted injection pressure limit for Well Number 1 established in Underground Injection Control Permit UIC 00-035. On January 6, 2012, a letter (dated January 4, 2012 and signed by a Mr. Scott A. Horgen) was received by the Wyoming Department of Environmental Quality, Water Quality Division, UIC Permitting Section (UIC Program), notifying the UIC Program that on December 10, 2011, Well Number 1 exceeded the injection pressure limit established in the current permit of 1,005 psig for one minute. Subsequent GEM database submittals indicate that the maximum injection well pressure recorded at Well Number 1 reached 1,048 psig.
- Dyno Nobel, Inc.** is in violation of Underground Injection Control Permit UIC 00-035, Section F (PROPER OPERATION AND MAINTENANCE), which requires the permittee to operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of the permit. The permit limits the injection pressure on the tubing of Well Number 1 to be no greater than 1,005 psig measured at the wellhead. According to Mr. Scott Horgan's letter dated January 4, 2012, "The deviation was a direct result of shutting down the #1 Injection Well. To avoid future occurrences, Dyno Nobel personnel will fully open the #1 Injection well bypass valve prior to shutdown activities."
- 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 DEQ shall cause a written notice to be issued and served on the person alleged to be responsible.

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING

WHEREFORE IT IS HEREBY ORDERED THAT:

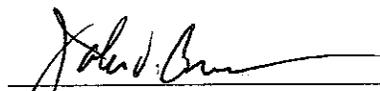
1. **Within thirty (30) days of receipt of this Order, Dyno-Nobel, Inc. shall provide to the UIC Program a plan, schedule, and cost estimate to initiate a training/awareness program for all Dyno Nobel, Inc. personnel to educate and inform all personnel regarding proper operation/maintenance of injection well bypass valves and proper well shutdown procedures.**
2. **Within sixty (60) days of receipt of this Order, Dyno-Nobel, Inc. shall install an automatic kill switch on each injection well that will immediately shut down the well in the event the maximum injection pressures are reached at the well.**
3. **By April 30, 2012, Dyno Nobel, Inc shall provide and install appropriate signage at all Dyno Nobel, Inc. Class I disposal wells that describes a step-by-step procedure for well shutdown and bypass procedures for all employees to adhere to.**
4. **By May 31, 2012, Dyno-Nobel, Inc. shall provide documentation to the UIC Program that the training/awareness program, signage, and automatic kill switch have been developed, installed, and utilized.**
5. **By June 15, 2012, Dyno-Nobel, Inc. shall arrange for an inspection of the facility with UIC Program personnel.**

This ORDER is final unless, not later than ten (10) days after the date of this notice is received it is appealed by filing two written petitions for a hearing before the Environmental Quality Council. If a hearing is requested, the first petition shall be mailed to: Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming, 82002. The second petition shall be mailed to: Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent via certified mail, return receipt requested.

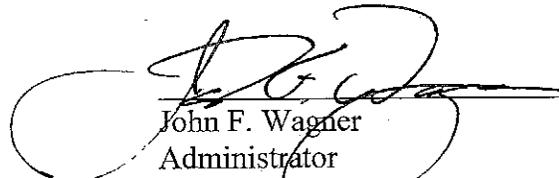
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NOTHING IN THIS NOTICE OF VIOLATION (NOV) AND ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOTICE OF VIOLATION AND ORDER be interpreted as being a condition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

Ordered this 24th day of February 2012.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kathy Shreve, Environmental Program Principal, Wyoming DEQ WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-6682.

JVC/JFW/KES/bb/12-0114

cc: Steve Pratt, EPA Region 8
Kevin Frederick, WDEQ
John Passehl, WDEQ
Kathy Shreve, WDEQ
NOV Docket **4962-12**
Environmental Quality Council
Keith Guille, DEQ Public Information Office (PDF)