

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

FEB 26 2002

IN THE MATTER OF
WYOMING REFINING COMPANY
AIR QUALITY PERMIT NO. MD-433

)
) Docket No. 00-2601
)

Terri A. Lorenzon, Director
Environmental Quality Council

ORDER ADOPTING STIPULATED SETTLEMENT

Petitioner Wyoming Refining Company (WRC) and Respondent Wyoming Department of Environmental Quality, Air Quality Division, having by their respective attorneys agreed to terms for resolving this appeal, and the Council having reviewed the terms of the stipulated settlement agreement, it is hereby ORDERED that:

1. The settlement agreement entered into by the parties is hereby approved, and its terms are incorporated by reference into this Order. The parties shall be bound by the terms of the settlement agreement, including but not limited to the following.

2. WRC shall perform the leak detection and repair (LDAR) activities required by the conditions of Permit No. MD-433 relating to emissions of volatile organic compounds and hazardous air pollutants (HAPs), including Condition 28 of that permit, in order to demonstrate that WRC's Newcastle refinery remains a minor source of HAPs.

3. DEQ shall delete from Permit No. MD-433 its condition 27 imposing maximum achievable control technology (MACT) controls on WRC's Newcastle refinery. Condition 27 shall no longer be a requirement of Permit MD-433, and WRC shall not be subject to the MACT standards set forth in the Wyoming Air Quality Standards and Regulations, Chapter 5, Section 3 (40 C.F.R. Part 63, subpart CC).

4. All remaining issues pending in this action are dismissed.

This 22nd day of February, 2002.



Wendy Hutchinson
Chairman, Environmental Quality Council