

From: Tim DeJulius
To: Andrus, Tim
Date: 12/6/2010 9:11 AM
Subject: Fwd: FW: Summary of Call with Tim DeJulius (Danish Flats)
Attachments: Summary of Call with Tim DeJulius

Hi Tim,

Attached is Weaver Boos' summary of our phone conversation.

I was able to speak with engineers at W-B about my questions regarding the September 2010 NOI and I want to provide some clarification to the information in the W-B summary.

The reasons for contacting them were related to the estimated MeOH emissions, the status of engineering of the settlement pond and any combustion device(s) used to control VOC/HAPs. I attempted to gather this information from Cindy Elliott (formerly Nicoll) previously and she asked me to coordinate my questions with W-B.

With respect to the estimated emissions from MeOH in water, there were some inconsistencies between information contained in the analysis report and values used in the calculations in the NOI. I was unable to compare the values used in the calculations with the values that appear in the chemical analysis. The values used in calculations do not appear in the chemical analysis. Also, it appears as though several high value analysis results were not included in the calculations. In response to my questions about this W-B indicated that these high value results were calibration spiked samples, but the analysis report does not list them as such. My interest is in the clarity of information that forms the basis of estimated emissions and if these high results are indeed calibrations, we simply need more information for the record that would confirm this.

Giving the engineers the benefit of doubt for the moment, that the 177 tpy MeOH result is a reasonably accurate estimate of emissions, the BACT analysis is lacking. The BACT analysis talks extensively about dissolved gas floatation and the cost per ton they calculate for VOC is \$7,360. No other control options are discussed. For example, there is no analysis of vapor collection with combustion. They asked me about cost per ton values that would rule out a given technology and of course, there are none in our rules or guidance. I mentioned repeatedly that we do not use any fixed \$/ton value in our review of a BACT analysis or when recommending a control. I cautioned them to employ all the steps in the BACT analysis procedure and that we would then review their information and make decisions based on what is contained in the BACT analysis. I wonder why W-B didn't mention that in their summary?

We did talk about biological attenuation of hydrocarbons, including MeOH. I expressed our willingness to entertain any approach to estimating emissions that employs the scientific method. I indicated that given the unique nature of this source, we would like to see quantified efforts at establishing the attenuation rate.

Then as to VOC/HAP control, combustion with secondary scrubbing is referenced throughout the NOI as the control option of choice. You and I know this means the Trilogy process. Remember how Danish Flats wanted to use the Trilogy device to take credit for the control of all combustion products? Am I remembering correctly that the equipment we saw in Logan and in Cisco is not adequately sized to serve as a control device for the amount of gas collected at Danish Flats? I recall that the equipment designers, S&S Worldwide, confirmed for us that the unit installed in Cisco was never intended to control the entire VOC/HAP stream from the various vapor collection units in place at Danish Flats, at that time, and that the unit is primarily a proof of concept demonstration, a way to work out any problems in the field. The only specification for this combustion device is a reference to combusting 7,500 scf of gas in an hour. There is no mention of whether this is natural gas or collected gas being combusted. If they are serious about using the Trilogy device for then we can expect detailed information about this equipment.

With respect to the comment in W-B's summary about the public, what I said repeatedly to the engineers is that we need to fully document all permitting decisions in this case, especially given the extraordinary amount of attention from the public that this source has attracted in the past and will no doubt attract during any public comment period. W-B engineers were unaware that this NOI resulted from our March 2010 meeting where it was revealed that Danish Flats no longer qualified for a de minimis exemption. I explained that it has already been nearly three months since the NOI arrived and that we want to proceed through the permitting process with due diligence. It appears that W-B took the wrong conclusion away from me saying this.

I will of course keep you involved as new information or communications become available.

Tim D.

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 11/30/2010 9:04 AM >>>

Tim, Good morning. I understand you spoke with Weaver Boos yesterday. They sent me a summary of your conversation. I shared that information with my management. The Chief Executive Officer of Danish Flats provided his comments to me as seen below. Please let me know your thoughts.

Cindy

-----Original Message-----

From: Jim Bradish [<mailto:jbrad@edisvcs.com>]
Sent: Tuesday, November 30, 2010 8:51 AM
To: 'Cindy L. Elliott'
Subject: RE: Summary of Call with Tim DeJulius

Cindy:

I have reviewed the Summary of Call as submitted by Mr. Hockman. It is apparent that the report that was discussed by Utah Air Quality Control and Hockman is, at best, skewed, and more likely, totally incorrect, non-representative, and embarrassing.

I will ask you to withdraw this report, and move forward to: a) employ another air-quality, field testing company that can properly identify and, therefore, collect air emissions in a manner that will provide to Danish Flats accurate and real time results b) research available labs that specializes in air emissions testing, proper result interpretation, and reporting of results. The newly collected samples will then be submitted to that lab for analysis.

Once a) & b) are complete, consult with Weaver Boos to determine the fastest and most efficient manner of removing the old, skewed air quality sampling results, and replace with what we will have been determined to be accurate results of air emissions correctly gathered, identified, and submitted to the lab.

As we undertake this task, I respectfully request that you determine from the state of Utah, the rules, regulations, and guidelines imposed on all of the other evaporative pond facilities that are under the jurisdiction of the state of Utah. Once we have those guidelines and the list of facilities involved, I wish to have a group discussion with the managers of each to identify and discuss the standards that have been imposed. Once we have an industry-wide standard for all of the Utah operators, we will compare and assure ourselves that we all are on the same compliance page and are speaking in the same compliance language.

Until these tasks are complete, I will ask that all communication be restricted to you and the state of Utah without any "middle man" interpretation.

I am available to answer questions.

JB

-----Original Message-----

From: Cindy L. Elliott [<mailto:cnicoll@danishflats.net>]
Sent: Monday, November 29, 2010 4:01 PM
To: 'Jim Bradish'
Subject: FW: Summary of Call with Tim DeJulius

Jim, please look over these comments. I would like for you to join in the call tomorrow at 9 if you can. I think It's important that you hear all of this.

Cindy

-----Original Message-----

From: Nowak, Neil [<mailto:nnowak@weaverboos.com>]
Sent: Monday, November 29, 2010 3:57 PM
To: Nicoll, Cindy
Cc: jhockman@weaverboos.com
Subject: FW: Summary of Call with Tim DeJulius

Cindy,

Tim DeJulius, Utah air group, called us today to discuss Danish Flats.

Please see Hockman's summary below.

Can we discuss tomorrow, Nov 30th at 9am?

Thanks

Neil

Sent from my HTC Touch Pro2 on the Now Network from Sprint®.

Neil Nowak | Senior Project Manager

Weaver Boos Consultants

5675 DTC Boulevard | Suite 210 | Greenwood Village, CO 80111 t. 720-529-0132 | f. 720-529-0137 | m. 303-570-1858

<http://www.weaverboos.com> | nnowak@weaverboos.com

IMPORTANT NOTICE: The information contained in this email message (including any attachments) may be confidential, privileged or both, and is intended exclusively for the addressee(s) intended by the sender. If it appears you have received this email message in error, please notify the sender immediately and then delete; any other use of this email message is prohibited. Thank you.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 8/19/2010 8:59 AM
Subject: Address

Tim, to whom do I make the check out to??

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 8/11/2010 9:13 AM
Subject: Any news?

How goes the NOI review?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 6/29/2010 8:54 AM
Subject: A/O

Hi Tim I believe the A/O application is nearing completion. I will contact you to deliver the application in the next week or two. Hope you are doing well.,

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 9/15/2010 3:48 PM
Subject: Check

Tim, I just received the check for the permit review. I'm sending it with hard copy of the NOI any special instructions?

Cindy L. Elliott, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: William Love <sombra@frontiernet.net>
To: Tim DeJulis <TDEJULIS@utah.gov>
Date: 1/28/2011 11:10 AM
Subject: Danish Flat Information

Please email the following if available.

1. All correspondence to Danish Flats where the DAQ is asking for information concerning the July 2010 NOI. Also can you email Danish Flats answers to the DAQ inquires.
2. Is the NOI from July 2010 on the computer? Please email a copy if available.
3. A copy of a Grand County report that shows the extent of the air pollution?

Thank you for your help

Bill Love

From: Tim DeJulis
To: Andrus, Tim
Date: 4/26/2010 12:25 PM
Subject: Danish Flats April 2010
Attachments: Danish Flats Material Balance.Special based on April 2010.04-20-2010.xls

Hi,

Here are my numbers.

Tim D.

From: Tim Andrus
To: DeJulis, Tim
Date: 3/29/2010 10:15 AM
Subject: Danish Flats article

Did the Moab paper try to reach you?

http://moabtimes.com/view/full_story/6568246/article-Danish-Flats-facility-may-already-exceed-state-hazardous-air-pollutants-maximum--county-PC-members-say?

From: Tim DeJulis
To: Andrus, Tim
Date: 1/27/2011 1:37 PM
Subject: Danish Flats ES Emails
Attachments: Links to Utah Rules and Guidance; Q2 an Q3 Monitoring ; FW: Summary of Call

with Tim DeJulius ; Re: FW: Summary of Call with Tim DeJulius ; FW: Summary of Call with Tim DeJulius ; RE: Methanol ; RE: Methanol ; RE: Methanol ; Methanol; FW: FW: Danish Flats September 2010 Report ; FW: FW: Danish Flats September 2010 Report ; RE: FW: Danish Flats September 2010 Report ; Re: FW: Water analysis ; RE: FW: Danish Flats September 2010 Report ; FW: Water analysis

Hi,

Here are the emails from November 2010 to current.

Tim D.

From: William Love <sombra@frontiernet.net>
To: Tim DeJulis <TDEJULIS@utah.gov>
Date: 2/8/2011 10:46 AM
Subject: Danish Flats GRAMA

Please cancel my Grama request for information on Danish Flats. The current email from Tim Andrus to Grand County is sufficient at the moment.

Thank You for your help

Bill Love
2871 E. Bench Rd.
Moab, Utah 84532

From: Tim DeJulis
To: Andrus, Tim
Date: 2/7/2011 10:29 AM
Subject: Danish Flats NOI Deficiencies
Attachments: 2010 NOI Incomplete Summary.doc; CDPHE Policy on EvaporationPonds
- Emission Calculations - updated for diesel and gasoline range.2010.pdf

Hi Tim,

Here is the list of missing information from the September 2010 NOI. Also included is the information relating to how Colorado handles evaporation ponds.

Please let me know what else you need from me. Thank you.

Tim D.

From: Tim Andrus
To: Wright, Mark
Date: 9/28/2010 4:48 PM
Subject: Danish Flats NOI

Hi Mark,

Just a quick note to let you know that Cindy submitted the Notice of Intent for Danish Flats. Tim is reviewing it now.

Hope all is better than the last time we talked! (Washed out road)

Tim

From: Tim Andrus
To: Wright, Mark
CC: DeJulis, Tim; Olsen, Reginald
Date: 3/1/2010 6:26 PM
Subject: Danish Flats test results
Attachments: Danish Flats test 20091231.xls

Hi Mark,

I decided I couldn't leave you waiting. I reran your calculations (they are correct), entered all of CAS numbers and compared them to the EPA HAP list, and verified your HAP numbers. Those are correct also.

So, possible issues: 1) the test was bad; 2) the sampling point was wrong; 3) the evaporation rate is wrong; or 4) we have an unpermitted major source on our hands.

Tim D has the previous test results also and discussed the sampling point with the source early on. I'm sure he will have more to add, but at least you know that your numbers are correct.

Regg and I are headed to Denver for the rest of the week, but I'll be checking email.

Tim

From: Tim Andrus
To: Morris, Jay
CC: DeJulis, Tim
Date: 1/31/2011 12:24 AM
Subject: Danish Flats

Jay, we need to talk about Danish Flats sometime soon. At the end of November, the company decided that all of the data they have submitted so far are wrong, and they need to find new testers. Tim D has already explained to them how to test water samples after the sludge pond and at the discharge to the evaporation ponds, with the difference in organics being what we take as material that gets evaporated. The source is growing and cooperation is minimal. If you can ponder some approaches, I would appreciate it.

Here is a satellite shot from 2010, guessing late. They have started using the ponds to the north, which were just being dug when Tim and I were there last spring. http://maps.google.com/maps?f=q&source=s_q&hl=en&geocode=&q=Moab,+UT&aq=0&sll=38.899583,-111.434326&sspn=4.2576,9.876709&ie=UTF8&hq=&hnear=Moab,+Grand,+Utah&ll=39.077925,-109.288301&spn=0.008295,0.01929&t=h&z=16

From: Tim Andrus
To: DeJulis, Tim
Date: 1/27/2011 12:08 PM
Subject: Danish Flats

Have you heard anything from Cindy since the 11/30 email? Need to know ASAP. Thanks.

From: Tim Andrus
To: DeJulis, Tim
Date: 2/8/2011 8:50 AM
Subject: DFES Grama

Tim, we have additional folks who want the same info as Bill Love. Would you put all of your pertinent email in that shared folder today and provide me with any hard copy communications?
Thanks.

From: Tim DeJulis
To: Nicoll, Cindy L.
CC: Andrus, Tim
Date: 3/8/2010 3:20 PM
Subject: Emissions Estimates
Attachments: Re: Danish Flats Phase II

Hi Cindy,

Sorry for the delay in getting back to you. I've been enjoying some R&R.

We'll be just across the parking lot from 150 North. The date is the 11th but the address is 168 North 1950 West. I've had eight people express an interest so far. I will send out another email on today to remind everyone. The meeting will be at 10:30.

Is there an intro you would like us to use on Thursday? Are there any arrangements you need, other than the overhead projector?

I don't want to take your focus off the presentation, but Mark Wright, the Grand County engineer called me February 25 with concerns that the Cisco evaporation ponds do not qualify as de minimis. He told me that he was going to send a version of his spreadsheet to DAQ and you. It appears as though you got your copy.

He took a slightly different approach to the problem than I did. I assumed that all the water throughput would evaporate in a short contemporaneous period without using the local pan evaporation rate in my analysis. I assumed that all of the VOC fraction that arrives at the receiving ponds is released as a fugitive VOC/HAP emission, less recovered quantities of condensate and oil. I went through the list of compounds in the water you gave me and rather than enter every compound as he did, I list only the federal HAPs. I added all the species present, the total HC content, to represent VOC. He averaged the concentrations in water, whereas I averaged the throughput volume.

You told me that your sampling point was from the acceptance tank, so credit was given for the amount of HC recovered and sold, what little credit there was (0.12 % to 0.35% of received water volume). If the sampling point is the evaporation pond as Mark has indicated, it would be inappropriate to credit the amount of HC recovered and sold. When I pointed out that condensate recovery volumes were less than 10% of the condensate loading in the delivered wastewater, you assured me that my analysis was over predicting.

In May 2009 we discussed an amount of benzene and toluene that would each trigger AO requirements and you told me that: a) centripetal separation technology would soon be employed that would remove a significant percentage of the volatiles (and HAPs), though you were not able to provide any calculations that would support your assertion, and b) that Danish Flats considered itself to be de minimis and you understood the obligations to provide a NOI at the appropriate time under air quality rules.

In July 2009 the benzene, toluene situation improved slightly but was still beyond de minimis levels on paper. You explained that the centrifuge was not going to be used and in its place there was to be a new control technology (Trilogy as it has come to be called) employed. You could not describe the technology nor provide any emission estimates for proprietary reasons. The new device was to start operations in September - therefore not enough time to have an demonstrable effect on Q3 data.

By the time Q4 data was available in January of this year, several critical pieces of information were not part of the report you sent to me: namely, volume of water received, water composition analysis (including MeOH), volume of condensate sold, and condensate analysis. It was not possible for me to arrive at a considered engineering conclusion with the limited amount of data contained in the air sampling analysis. Anyway, my section manager wanted me to avoid spending any more time analyzing or evaluating the operations.

Now that there are questions from the Grand County engineer, perhaps the time has arrived for Danish Flats to document the status of their operations - deminimis, area source, or major HAPs source - whatever the case may be? Rather than Grand County or the DAQ using the analyzed data to calculate emissions, Danish Flats could prepare calculations that represents the entire process and are capable of scrutiny, based on the composition of received water. The rigorous analysis that you and your staff assemble would be the answer to any and all questions, now that the Cisco operation is as-built and the design is no longer in a state of flux.

Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/3/2010 7:35 AM >>>
Hey Tim! Just want to confirm. Our meeting is the 11th of March at 10:00 at 150 North 1950 West. Do you have attendees yet?

Cindy

-----Original Message-----

From: Tim DeJulis [<mailto:tdejulis@utah.gov>]
Sent: Monday, February 22, 2010 5:08 PM
To: Cindy L. Nicoll
Subject: Re: Attendees

Hi Cindy,

I haven't heard from anyone. I invited some 45 or so, section, branch, division managers and permitting staff. I opened the invite to any staff that the managers might want to attend or anyone who might be interested. I'll send something out the week of the 8th to see who all intends to attend and get that list to you then, if that's ok?

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 2/22/2010 9:03 AM >>>

Hi Tim. May I have a list of the people attending the March 11th presentation?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.435 / Virus Database: 271.1.1/2703 - Release Date: 02/22/10
07:34:00

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/12/2010 10:14 AM
Subject: Exhale....

Ok, happy Monday to you. Let's get started on our NOI and A/O!!

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Elliott" <celllott@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>, "Mark Wright" <mwright1@grand.sta...>
Date: 1/27/2011 8:10 AM
Subject: FW: Danish Flats Air Report
Attachments: DF 4th Qtr January 2011 Air Report.pdf

Here is Q4 monitoring. It looks really good!!

Cindy L. Elliott, CHMM
Compliance Officer
Danish Flats Environmental Services, Inc.
-Southern Cross Environmental Services, LLC.

719-314-3187 Office
719-260-7720 Fax
719-494-9711 Cell
celllott@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/2/2010 8:26 AM
Subject: FW: Danish Flats HAP emissions
Attachments: WWTF re-checked.xlsx

Tim, FYI if you haven't seen this yet. I don't know why Mark does this???
Let me know what your thoughts are.

Cindy

From: Mark Wright [mailto:mwright1@grand.state.ut.us]
Sent: Monday, March 01, 2010 1:17 PM
To: 'Cindy L. Nicoll'
Subject: RE: Danish Flats HAP emissions

Hi Cindy,

I have asked the DAQ to look at the attached spreadsheet to provide a check of my calculations and assumptions. I hope I am wrong on this but it looks like Danish Flats should be looking to begin an AO permit process.

Thanks,

Mark Wright
Community Development Director
Grand County Engineer
125 E Center St.
Moab, UT 84532

(435)259-1368

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.435 / Virus Database: 271.1.1/2716 - Release Date: 03/01/10

07:34:00

From: "Cindy L. Elliott" <celliott@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 1/31/2011 8:28 AM
Subject: FW: Danish Flats Invoice
Attachments: Jan 2011 Water D20275.PDF

I'm sorry, I didn't read your e-mail correctly. Here is Q4 water.

Cindy

From: "Mark Wright" <mwright1@grand.state.ut.us>
To: "Tim Andrus" <TANDRUS@utah.gov>
Date: 7/26/2010 2:34 PM
Subject: FW: Danish Flats June Report
Attachments: DF June 10 Air Report.pdf

Hi Tim,

I did not know if Cindy had provided this to you. Let me know what you think.

Have you received anything from them yet?

Thanks,
Mark Wright
Community Development Director
Grand County Engineer
125 E Center St.
Moab, UT 84532

(435)259-1368

-----Original Message-----

From: Cindy L. Nicoll [mailto:cnicoll@danishflats.net]
Sent: Monday, July 26, 2010 9:37 AM
To: 'Mark Wright'
Subject: FW: Danish Flats June Report

Here is Q2 monitoring. Let me know if you have any questions.

Cindy

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 10/28/2010 1:38 PM
Subject: FW: Danish Flats September 2010 Report
Attachments: DF Sept Package.pdf

FYI. Very favorable results.

Cindy

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 1/13/2010 9:29 AM
Subject: FW: DF Dec 09 - 2nd Report Revision
Attachments: DF Dec 09 Quarterly Air Report_011110r2.pdf

Tim, it was nice talking to you Monday. Here are the latest sampling results. There are some formatting issues with this version but other than that we will be submitting these results to Grand County.

On a separate note! How would you all at Utah air like to see a presentation on the Trilogy!!!! For BACT and RACT reasons ???? Huh? Yes!!

Cindy

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 7/23/2010 8:08 AM
Subject: FW: DFES NOI Draft
Attachments: Danish Flats NOI DRAFT.pdf; Form01.doc

Tim, here is an electronic copy of the DRAFT NOI. I will have two hard copies to you next week. Have a great weekend!!

Cindy

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 11/1/2010 3:55 PM
Subject: FW: FW: Danish Flats September 2010 Report
Attachments: Key Labs 06_30_10 Final Results page.pdf

Tim see this scan of the first page behind the header "Appendix D" page. The second block is the MEOH results. I had to look too!!

Cindy

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 11/2/2010 7:53 AM
Subject: FW: FW: Danish Flats September 2010 Report
Attachments: Key Labs Fax MeOH Raw Data.pdf

Here is the backup data for the MEOH.

Cindy

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/19/2010 1:47 PM
Subject: FW: March 2010 Report
Attachments: DF March 10 Air Report 4-19-2010.pdf

Here are the (Q1) March numbers. Let me know what you think.

Cindy

From: "Mark Wright" <mwright1@grand.state.ut.us>
To: "Tim Andrus" <TANDRUS@utah.gov>
Date: 10/20/2010 8:20 AM
Subject: FW: Proj. Name: Danish Flats 09-2010, Project ID: 13754, Final Report: WO# 1010003A, Air Toxics Ltd.
Attachments: 1010003A_d.pdf; 1010003ACOC.pdf; ATLSTDEDD_1010003A.xls

Hi Tim,

Are we getting anywhere with Danish Flats? Here is the latest from them to me on air quality.

Thanks,

Mark Wright

Community Development Director

Grand County Engineer

125 E Center St.

Moab, UT 84532

(435)259-1368

From: jluta@airtoxics.com [mailto:jluta@airtoxics.com]
Sent: Tuesday, October 19, 2010 12:25 PM
To: emcdowell@eaa-co.com; cnicoll@danishflats.net;
mwright1@grand.state.ut.us
Subject: Proj. Name: Danish Flats 09-2010, Project ID: 13754, Final Report: WO# 1010003A, Air Toxics Ltd.

<http://www.airtoxics.com/graphics/email_letterhead/logo_hdr.jpg>

Proj. Name: Danish Flats 09-2010, Project ID: 13754, Final Report: WO# 1010003A, Air Toxics Ltd.

Dear Ms. Elizabeth McDowell,

Thank you for choosing Air Toxics Ltd. to provide your analytical services.

Your final report information appears below.

Project Name:

Danish Flats 09-2010

Date Received:

10/1/2010

Date Promised:

10/15/2010

Sample Listing

Sample

Analysis

Collection Date

Pressure

P1W

Modified TO-15

9/30/2010

12.4 "Hg

P1C

Modified TO-15

9/30/2010

12.0 "Hg

P1E

Modified TO-15

9/30/2010

11.0 "Hg

P2W

Modified TO-15

9/30/2010

10.6 "Hg

P2E

Modified TO-15

9/30/2010

10.6 "Hg

Attached to this email are your Final Report and Chain of Custody. These documents are provided in Adobe PDF Format for your convenience. Additionally, we are pleased to provide the data as an EXCEL Report for your added convenience. This is an exciting new feature that will accompany all standard reports moving forward.

Adobe Reader is required to view PDF files. If you do not have Adobe Reader, you can download a free copy from the Adobe web site.
<<http://www.adobe.com/products/acrobat/readstep2.html>>

If you are expecting a Client Specific Electronic Data Deliverable (EDD) or Data Validation Package (eCVP), you will receive a separate notification when it is complete.

If you have any questions or concerns please contact me at your earliest convenience. My goal is to ensure that your project expectations are met with early and prompt resolution.

Your Final Report and EXCEL Report (as well as all project related documents) can also be accessed at <http://data.airtoxics.com>. Please contact me if you need assistance accessing this service.

Thank you for your continued business.

Notes:

This Workorder (1010003A) is one of a multipart workorder, consisting of the following fractions:

1010003A,1010003B,1010003C

Each Workorder Fraction will be delivered in a separate report.

Sincerely,

Jacquelyn Luta
Project Manager
Air Toxics Ltd.
180 Blue Ravine Road, Ste. B
Folsom, CA 95630

916-985-1000 Ext. 1012
jluta@airtoxics.com

<http://www.airtoxics.com/graphics/email_letterhead/20th_anniv_logo_solo_color_sm.jpg> www.airtoxics.com
800-985-5955
Celebrating 20 Years of Excellence

LO

CONFIDENTIALITY NOTICE: This communication and any accompanying documents are confidential and privileged.

They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited.

If you have received this communication in error, please contact our IS Department at its Internet address or by telephone at (916)985-1000.

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulius" <tdejulis@utah.gov>
Date: 11/30/2010 9:05 AM
Subject: FW: Summary of Call with Tim DeJulius

Tim, Good morning. I understand you spoke with Weaver Boos yesterday. They sent me a summary of your conversation. I shared that information with my management. The Chief Executive Officer of Danish Flats provided his comments to me as seen below. Please let me know your thoughts.

Cindy

-----Original Message-----

From: Jim Bradish [mailto:jbrad@edisvcs.com]
Sent: Tuesday, November 30, 2010 8:51 AM
To: 'Cindy L. Elliott'
Subject: RE: Summary of Call with Tim DeJulius

Cindy:

I have reviewed the Summary of Call as submitted by Mr. Hockman. It is apparent that the report that was discussed by Utah Air Quality Control and Hockman is, at best, skewed, and more likely, totally incorrect, non-representative, and embarrassing.

I will ask you to withdraw this report, and move forward to: a) employ another air-quality, field testing company that can properly identify and, therefore, collect air emissions in a manner that will provide to Danish Flats accurate and real time results b) research available labs that specializes in air emissions testing, proper result interpretation, and reporting of results. The newly collected samples will then be submitted to that lab for analysis.

Once a) & b) are complete, consult with Weaver Boos to determine the fastest and most efficient manner of removing the old, skewed air quality sampling results, and replace with what we will have been determined to be accurate results of air emissions correctly gathered, identified, and submitted to the lab.

As we undertake this task, I respectfully request that you determine from the state of Utah, the rules, regulations, and guidelines imposed on all of the other evaporative pond facilities that are under the jurisdiction of the state of Utah. Once we have those guidelines and the list of facilities involved, I wish to have a group discussion with the managers of each to identify and discuss the standards that have been imposed. Once we have an industry-wide standard for all of the Utah operators, we will compare and assure ourselves that we all are on the same compliance page and are speaking in the same compliance language.

Until these tasks are complete, I will ask that all communication be restricted to you and the state of Utah without any "middle man" interpretation.

I am available to answer questions.

JB

-----Original Message-----

From: Cindy L. Elliott [mailto:cnicoll@danishflats.net]
Sent: Monday, November 29, 2010 4:01 PM
To: 'Jim Bradish'

Subject: FW: Summary of Call with Tim DeJulius

Jim, please look over these comments. I would like for you to join in the call tomorrow at 9 if you can. I think it's important that you hear all of this.

Cindy

-----Original Message-----

From: Nowak, Neil [mailto:nnowak@weaverboos.com]

Sent: Monday, November 29, 2010 3:57 PM

To: Nicoll, Cindy

Cc: jhockman@weaverboos.com

Subject: FW: Summary of Call with Tim DeJulius

Cindy,

Tim DeJulius, Utah air group, called us today to discuss Danish Flats.

Please see Hockman's summary below.

Can we discuss tomorrow, Nov 30th at 9am?

Thanks

Neil

Sent from my HTC Touch Pro2 on the Now Network from Sprint®.

Neil Nowak | Senior Project Manager

Weaver Boos Consultants

5675 DTC Boulevard | Suite 210 | Greenwood Village, CO 80111 t. 720-529-0132 | f.

720-529-0137 | m. 303-570-1858 <http://www.weaverboos.com> | nnowak@weaverboos.com

IMPORTANT NOTICE: The information contained in this email message (including any attachments) may be confidential, privileged or both, and is intended exclusively for the addressee(s) intended by the sender. If it appears you have received this email message in error, please notify the sender immediately and then delete; any other use of this email message is prohibited. Thank you.

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulius" <tdejulis@utah.gov>
Date: 11/30/2010 9:45 AM
Subject: FW: Summary of Call with Tim DeJulius
Attachments: Summary of Call with Tim DeJulius

-----Original Message-----

From: Nowak, Neil [mailto:nnowak@weaverboos.com]
Sent: Monday, November 29, 2010 3:57 PM
To: Nicoll, Cindy
Cc: jhockman@weaverboos.com
Subject: FW: Summary of Call with Tim DeJulius

Cindy,

Tim DeJulius, Utah air group, called us today to discuss Danish Flats.

Please see Hockman's summary below.

Can we discuss tomorrow, Nov 30th at 9am?

Thanks

Neil

Sent from my HTC Touch Pro2 on the Now Network from Sprint®.

Neil Nowak | Senior Project Manager
Weaver Boos Consultants
5675 DTC Boulevard | Suite 210 | Greenwood Village, CO 80111 t. 720-529-0132 | f.
720-529-0137 | m. 303-570-1858 <http://www.weaverboos.com> | nnowak@weaverboos.com

IMPORTANT NOTICE: The information contained in this email message (including any attachments) may be confidential, privileged or both, and is intended exclusively for the addressee(s) intended by the sender. If it appears you have received this email message in error, please notify the sender immediately and then delete; any other use of this email message is prohibited. Thank you.

From: "Mark Wright" <mwright1@grand.utah.gov>
To: "Tim Andrus" <TANDRUS@utah.gov>
Date: 2/8/2011 7:43 AM
Subject: FW: Update on Danish Flat Environmental Services Notice of Intent

Hi Tim,

May I have a copy of the Danish Flats NOI file for distribution? If you think this should be processed through a GRAMA request let me know.

Thanks,

Mark Wright

Community Development Director

Grand County Engineer

125 E Center St.

Moab, UT 84532

(435)259-1368

From: Mary Hofhine [mailto:mhofhine@grand.utah.gov]
Sent: Monday, February 07, 2011 4:30 PM
To: Mark Wright
Subject: FW: Update on Danish Flat Environmental Services Notice of Intent

Pam wants a copy of the NOI - do we have it and if we don't how would she obtain a copy

From: Pam Hackley [mailto:phackley@frontiernet.net]
Sent: Monday, February 07, 2011 4:17 PM
To: Mary Hofhine
Subject: Re: Update on Danish Flat Environmental Services Notice of Intent

Mary - Do you have a copy of the NOI that you could email?

Thanks,

Pam

"To dance beneath the diamond sky with one hand waving free"

----- Original Message -----

From: "Mary Hoffhine" <mhoffhine@grand.utah.gov>
To: "Ruth" <council@grand.state.ut.us>, "d tubbs" <d.tubbs@comcast.net>, "Dave Cozzens" <kisnczns@frontiernet.net>, "Dave Stolfa" <dave@stolfa.net>, "Ed" <kennabridges@hotmail.com>, "Gene Ciarus" <glciarus@gmail.com>, "Kalen Jones" <kalen@withgaia.com>, "kkilloy" <kkilloy@grand.utah.gov>, "Melinda" <melindabrimhall@grand.state.ut.us>, "Mike Duncan" <mikeduncan@citlink.net>, "pam hackley" <phackley@frontiernet.net>
Cc: "Mark Wright" <mwright1@grand.state.ut.us>
Sent: Monday, February 7, 2011 3:13:24 PM
Subject: FW: Update on Danish Flat Environmental Services Notice of Intent

Hi All - The following email is from Air Quality, which explains the situation and what they are planning to do. If you have questions or concerns please stop in and talk with Mark.

Ruth - will you please forward this on to the Council.

Mary

From: Tim Andrus [mailto:TANDRUS@utah.gov]
Sent: Monday, February 07, 2011 1:35 PM
To: Mark Wright
Cc: Reginald Olsen; Tim DeJulis
Subject: Update on Danish Flat Environmental Services Notice of Intent

To the Grand County Planning Commission and other interested parties:

Information available to the Utah Division of Air Quality (UDAQ) in March of 2010 indicated that Danish Flats Environmental Services (DFES) was exceeding the emission thresholds for the small source exemption under UAC R307-401-9. After discussions about this information, DFES submitted a Notice of Intent (NOI) on July 23, 2010. This document is the basis for obtaining an air quality approval order from the Division of Air Quality.

The NOI was deficient in several areas (which is not unusual from sources that have not been through the UDAQ process before). UDAQ has been in frequent contact with DFES in attempts to resolve the deficiencies. As of the date of this email, the deficiencies still exist.

UDAQ was also notified on November 30, 2010, that Mr. Jim Bradish of DFES has substantial doubt about the validity of test results used in the development of the NOI. He has directed his staff to retain another test firm and to coordinate with DFES' consultant, Weaver Boos, to update the NOI with additional information.

UDAQ is concerned about this turn of events and the elapsed time on this issue. UDAQ is currently holding internal discussions about approaches to resolve the situation.

Please contact me if there are further questions.

Sincerely,

Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 11/1/2010 10:27 AM
Subject: FW: Water analysis
Attachments: D17875.pdf

This is the water analysis from our September monitoring. MEOH is non-detect.

Cindy

From: Tim DeJulis
To: Andrus, Tim
Date: 7/26/2010 2:48 PM
Subject: Fwd: FW: DFES NOI Draft
Attachments: Danish Flats NOI DRAFT.pdf; Form01.doc

As you requested.

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 7/23/2010 8:06 AM >>>

Tim, here is an electronic copy of the DRAFT NOI. I will have two hard copies to you next week.
Have a great weekend!!

Cindy

From: Tim Andrus
To: Wright, Mark
Date: 7/26/2010 2:57 PM
Subject: Fwd: FW: DFES NOI Draft
Attachments: Danish Flats NOI DRAFT.pdf; Form01.doc

Yep. Cindy emailed a copy of the NOI on Friday. Hard copies should be coming in the mail. Here is what we have so far. I'd welcome any comments you have.

On page 19, the document shows VOC and HAPs controlled by the Trilogy system and uncontrolled. It doesn't do much for overall emissions.

Enjoy.

>>> On 7/26/2010 at 2:48 PM, <TDEJULIS@utah.gov> wrote:
As you requested.

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 7/23/2010 8:06 AM >>>
Tim, here is an electronic copy of the DRAFT NOI. I will have two hard copies to you next week.
Have a great weekend!!

Cindy

From: Tim Andrus
To: DeJulis, Tim
Date: 3/1/2010 9:51 AM
Subject: Fwd: RE: Grand County Request for a check of our calculations - Danish Flats Environmental
Attachments: WWTF re-checked.xlsx

Mark's spreadsheet. Would you confirm with the source where they tested from? As it stands, Danish Flats is operating without an AO or OP if the spreadsheet is correct.

>>> On 3/1/2010 at 9:09 AM, <RDOLSEN@utah.gov> wrote:
Could you (or have someone) take a look and let me know please ? Thanks.

Regg

>>> "Mark Wright" <mwright1@grand.state.ut.us> 3/1/2010 8:46 AM >>>

Hi Regg,

Grand County once again has our Production Water ordinance open and questions on the Danish Flats permit have been raised by the Grand County Planning Commission. In response to these questions we developed the attached spreadsheet. I hope I have made some sort of error in the attached spreadsheet as I estimate that Danish Flats Environmental facility in Grand County releases 86 ton of HAPs per year. I had to make a number of assumptions in order to estimate these emissions perhaps some of these are in error. Would you please have someone check this estimate and advise me if it is reasonable. I checked with the water quality testing lab and the water sample was pulled at the discharge from the sludge pond (inlet of pond #3) so there is only minor recovery of hydrocarbon from that point. The minor recovery method from that point on in the facility is the required skimming of any visible oil sheen on the pond surfaces. The skimmed oil/water mixture is trucked to the head works of the facility.

If there is not an error in the spreadsheet please let me know what the best way to proceed is.

Thanks,

Mark Wright
Community Development Director
Grand County Engineer
125 E Center St.
Moab, UT 84532

(435)259-1368

From: Tim Andrus
To: mwright1@grand.state.ut.us
CC: DeJulis, Tim; Olsen, Reginald
Date: 3/1/2010 9:57 AM
Subject: Fwd: RE: Grand County Request for a check of our calculations - Danish Flats Environmental
Attachments: Trilogy

Hi Mark,

Tim DeJulis told me about this. I have asked him to verify where the source pulled the initial test and this test, but Tim is out until Thursday. If your spreadsheet is correct, Danish needs an AO as a major HAP source.

We have a product demo on Danish Flat's proposed technology on 3/11 at 10:30 (attached). You are certainly welcome if you want to pop up to SLC.

I'll get back to you as I get more information.

Tim

>>> On 3/1/2010 at 9:09 AM, <RDOLSEN@utah.gov> wrote:
Could you (or have someone) take a look and let me know please ? Thanks.

Regg

>>> "Mark Wright" <mwright1@grand.state.ut.us> 3/1/2010 8:46 AM >>>

Hi Regg,

Grand County once again has our Production Water ordinance open and questions on the Danish Flats permit have been raised by the Grand County Planning Commission. In response to these questions we developed the attached spreadsheet. I hope I have made some sort of error in the attached spreadsheet as I estimate that Danish Flats Environmental facility in Grand County releases 86 ton of HAPs per year. I had to make a number of assumptions in order to estimate these emissions perhaps some of these are in error. Would you please have someone check this estimate and advise me if it is reasonable. I checked with the water quality testing lab and the water sample was pulled at the discharge from the sludge pond (inlet of pond #3) so there is only minor recovery of hydrocarbon from that point. The minor recovery method from that point on in the facility is the required skimming of any visible oil sheen on the pond surfaces. The skimmed oil/water mixture is trucked to the head works of the facility.

If there is not an error in the spreadsheet please let me know what the best way to proceed is.

Thanks,

Mark Wright
Community Development Director
Grand County Engineer
125 E Center St.
Moab, UT 84532

(435)259-1368

From: Tim Andrus
To: cnicoll@danishflats.net; DeJulis, Tim
Date: 3/24/2010 3:35 PM
Subject: Fwd: RE: DF Tour

Hi Cindy,

I would like Mark Wright to accompany the DAQ folks so I know that we have the same understanding of what we see. Hopefully this is not an issue for you, but please let me know for certain.

Thanks,
Tim Andrus

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

>>> On 3/24/2010 at 3:15 PM, <TDEJULIS@utah.gov> wrote:
Here we have Cindy's response.

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/24/2010 3:09 PM >>>
I can take you on the 30th weather permitting of course. There will be another group, I didn't know if that would get in the way. Yes, you are right, it would have to be a much larger Trilogy to treat all of the water at DF. I believe the other group will not be there until 12:30, if you want to be there at the same time. I am glad you got to go to the lab. That is a really interesting presentation. I was unaware that you were going. I would have like to have joined you.

Cindy

-----Original Message-----

From: Tim DeJulis [<mailto:tdejulis@utah.gov>]
Sent: Wednesday, March 24, 2010 3:04 PM
To: Cindy L. Nicoll
Subject: Re: DF Tour

Hi Cindy,

Yes, we would like to visit Danish Flats, please? It is a priority to see Trilogy, as currently designed and installed, at work while we're there. While we were in Logan, Amy Hansen with Purestream Technologies mentioned March 30 as a possible tour date for DAQ, as there would be other tours of the site taking place that day. She mentioned another tour date, April 13, but this will be the week that DAQ moves into our new building so we would not be available then, and apparently after that Trilogy will be off-line. Next Tuesday will work for us. We could be in Cisco between 11:00 and

12:00.

The tour of SAC and EDL in Logan was very informative, engineering for engineers. Based on what we saw and was described to us, the existing Trilogy technology will be best suited toward the smaller grouping of production sites rather than anything on the scale of Danish Flats. In order for the Trilogy design that we saw in Logan to control the emissions from Danish Flats, there would need to be an order of magnitude scale up, at least.

Do I have the correct information from Amy - may we come visit Danish Flats and see the Trilogy technology on the 30th? There would be a group of five of us. Please advise. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/24/2010 11:42 AM >>>

Do you guys want to go out to Danish Flats? What dates work for you and is it important to you to have the Trilogy running or not?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the

intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.437 / Virus Database: 271.1.1/2765 - Release Date: 03/24/10
07:33:00

From: Tim Andrus
To: DeJulis, Tim; Morris, Jay; Wright, Mark
Date: 2/14/2011 10:08 AM
Subject: Fwd: RE: Links to Utah Rules and Guidance

Would you forward her email as an attachment so I may respond please?

>>> On 2/14/2011 at 10:07 AM, <TDEJULIS@utah.gov> wrote:
Hi,

You saw that I sent her a copy of the 01-24-11 email earlier. Here is her response.

Tim D.

>>> "Cindy L. Elliott" <celliott@danishflats.net> 2/14/2011 8:54 AM >>>
Tim, I apologize I didn't see the attachment. This is the first I have seen of this document. Please know that we are working on these issues. I don't think two weeks will be enough time as I am traveling most of this week and I just got Tim's letter on Friday. I will keep you posted. Can we ask for an extension?

Cindy

-----Original Message-----

From: Tim DeJulis [<mailto:TDEJULIS@utah.gov>]
Sent: Monday, January 24, 2011 1:54 PM
To: Cindy Nicoll; jbrad@edisvcs.com
Cc: Tim Andrus
Subject: Links to Utah Rules and Guidance

Hi Cindy,

Here are the rule citations and links you asked for and will want to share with others. The DAQ treats all sources equally within the existing state and federal rules that may apply to each source.

<http://www.airquality.utah.gov/>

http://www.airquality.utah.gov/Planning/Rules/Actual_Rules/current-rules.pdf

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide.pdf>

The attached document lists the missing or incomplete information in the NOI and also contains my response to the meeting summary prepared by Weaver-Boos. Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis
Engineer III
Utah Department of Environmental Quality Division of Air Quality New Source

Review Section
195 North 1950 West
Salt Lake City, Utah 84116
P: 801-536-4012
F: 801-536-4099
tdejulis@utah.gov

From: Tim Andrus
To: DeJulis, Tim; Olsen, Reginald
Date: 6/16/2010 5:07 PM
Subject: Grand County evap pond movement

http://www.moabtimes.com/view/full_story/7787790/article-County-sets-final-vote-on-new-produced-water-ordinance-for-June-15?instance=secondary_four_leftcolumn

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/13/2010 9:16 AM
Subject: Hi

Did you get my e-mail regarding the new equipment at DF?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Elliott" <celllott@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 2/12/2011 12:08 PM
Subject: January 24, 2011

Can you forward your e-mail dated in the subject line to me? I don't seem to have one with that date?

Cindy L. Elliott, CHMM

Compliance Officer

Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

celllott@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Justin Spaeth <justinspaeth@pstrep.com>
To: <tdejulis@utah.gov>, <tandrus@utah.gov>, <clintondworshak@utah.gov>, <ma...>
Date: 3/12/2010 1:46 PM
Subject: Justin Spaeth - Purestream Technology

Gentlemen,

Thank you for taking the time yesterday to meet with us. We are putting together an informative tour to take place in Logan UT on the 22nd or 23rd of March consisting of multiple regulatory agencies.

The tour will consist of discussions and visual representation of the Utah State University Research Foundation; Space and Energy Dynamics Laboratories. The USURF labs are of importance because we will be able to show you the new technology we using to monitor air emissions, how they have designed the thermal dynamics portion of the scrubber unit, and why the technology works.

We will also be touring the Specialized Analysis Engineering firm where the Trilogy units are being built. This is important because you will be able to see the units being built in different stages.

I would like to extend my invitation for you to join in this informative tour about the Purestream Technology. We are working to help the oil and gas community overcome its environmental challenges.

Please let me know if you are able to attend and which day would work best for you.

Warm Regards,

--

Justin Spaeth
Purestream Technology
510 South 600 East
Salt Lake City, UT 84102
TF: 866.582.8388
M : 970.396.5222
F : 970.858.9747
www.purestreamtechnology.com

This document and any files or e-mail messages attached to it contain data or information that is confidential, privileged or otherwise restricted from disclosure. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of any of the data or information contained herein or in any of the attachments is strictly prohibited. If you have received this document or transmission in error, please immediately notify the sender and destroy, delete or erase this document and all attachments.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/16/2010 10:44 AM
Subject: Link

Tim can you send me the link to water 2.0. I cannot find the correct link.
Thanks.

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Tim DeJulis
To: jbrad@edisvcs.com; Nicoll, Cindy
CC: Andrus, Tim
Date: 1/24/2011 1:53 PM
Subject: Links to Utah Rules and Guidance
Attachments: 2010 NOI Incomplete Letter.doc

Hi Cindy,

Here are the rule citations and links you asked for and will want to share with others. The DAQ treats all sources equally within the existing state and federal rules that may apply to each source.

<http://www.airquality.utah.gov/>

http://www.airquality.utah.gov/Planning/Rules/Actual_Rules/current-rules.pdf

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide.pdf>

The attached document lists the missing or incomplete information in the NOI and also contains my response to the meeting summary prepared by Weaver-Boos. Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis
Engineer III
Utah Department of Environmental Quality
Division of Air Quality
New Source Review Section
195 North 1950 West
Salt Lake City, Utah 84116
P: 801-536-4012
F: 801-536-4099
tdejulis@utah.gov

From: Tim DeJulis
To: jbrad@edisvcs.com; Nicoll, Cindy
CC: Andrus, Tim
Date: 1/24/2011 1:53 PM
Subject: Links to Utah Rules and Guidance
Attachments: 2010 NOI Incomplete Letter.doc

Hi Cindy,

Here are the rule citations and links you asked for and will want to share with others. The DAQ treats all sources equally within the existing state and federal rules that may apply to each source.

<http://www.airquality.utah.gov/>

http://www.airquality.utah.gov/Planning/Rules/Actual_Rules/current-rules.pdf

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide.pdf>

The attached document lists the missing or incomplete information in the NOI and also contains my response to the meeting summary prepared by Weaver-Boos. Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis
Engineer III
Utah Department of Environmental Quality
Division of Air Quality
New Source Review Section
195 North 1950 West
Salt Lake City, Utah 84116
P: 801-536-4012
F: 801-536-4099
tdejulis@utah.gov

From: Tim DeJulis
To: jbrad@edisvcs.com; Nicoll, Cindy
CC: Andrus, Tim
Date: 1/24/2011 1:53 PM
Subject: Links to Utah Rules and Guidance
Attachments: 2010 NOI Incomplete Letter.doc

Hi Cindy,

Here are the rule citations and links you asked for and will want to share with others. The DAQ treats all sources equally within the existing state and federal rules that may apply to each source.

<http://www.airquality.utah.gov/>

http://www.airquality.utah.gov/Planning/Rules/Actual_Rules/current-rules.pdf

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide.pdf>

The attached document lists the missing or incomplete information in the NOI and also contains my response to the meeting summary prepared by Weaver-Boos. Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis
Engineer III
Utah Department of Environmental Quality
Division of Air Quality
New Source Review Section
195 North 1950 West
Salt Lake City, Utah 84116
P: 801-536-4012
F: 801-536-4099
tdejulis@utah.gov

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/15/2010 3:22 PM
Subject: List

When you have a minute would you send an e-mail containing the items we spoke of this morning?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Tim Andrus
To: DeJulis, Tim; Morris, Jay; Olsen, Reginald; Ruby, Rusty
CC: Heying, Cheryl; Spangler, Donna
Date: 5/9/2010 7:22 PM
Subject: Moab TI article

Craig Bigler didn't get it completely correct, but I don't see any real misstatements.

http://moabtimes.com/view/full_story/7334040/article-County-ordinance-to-regulate-injection-wells-stalls-over-questions-about-monitoring-methods--authority?instance=secondary_two_leftcolumn

Timothy R. Andrus
Manager

Utah Division of Air Quality
Minor New Source Review Section
Email: tandrus@utah.gov
Phone: 801.536.4429
Fax 801.536.4099

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/17/2010 9:43 AM
Subject: NOI

Were you going to send me an outline of the components for the NOI?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/31/2010 8:39 AM
Subject: Phone

Good Morning Tim. I cannot find your phone number. I would like to return your call!! Would you mind calling me? 719-598-9735. I will give you an update though. I have written a good portion of the facility portion of the NOI. We are getting a bid from our engineering firm to perform the calculations. We also just did quarterly monitoring yesterday. The tour is scheduled for the 6th at 1:00 pm. Let me know if there is anything else!!

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology
- Danish Flats Environmental Services, Inc.
- Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 12/6/2010 9:46 AM
Subject: Q2 an Q3 Monitoring
Attachments: DF June 10 Air Report.pdf; DF March 10 Air Report 4-19-2010.pdf

Here are the reports we spoke of.

Cindy L. Elliott, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 7/23/2010 11:27 AM
Subject: Question

Can you tell me who I can talk to about "composting" regulations in Utah please???

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/31/2010 2:07 PM
Subject: Questions

Hi Tim, I have a question (for management), do any of the other E&P wastewater evaporation pit facilities in Utah have air permits?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Tim Andrus
To: Bradish, Jim; Elliott', 'Cindy L.
CC: DeJulis, Tim; Morris, Jay
Date: 2/14/2011 11:21 AM
Subject: Re:

Mr. Bradish,

The staff at the Division of Air Quality has attempted to work through the issues with Danish Flats. In March of 2010, the DAQ received information that Danish Flats is very likely a major source of air pollution under UAC R307-401. DAQ staff has been in nearly-constant communication with Cindy. DAQ staff has met with Purestream to learn about the Trilogy concept. DAQ staff has made at least two visits to Danish Flats to see how everything was progressing. We have been given a number of reasons as to why the requested information is unavailable to us, and we are no closer to resolving the issue now than we were a year ago.

The Division has an obligation to investigate and address sources of air pollution. All sources of air pollution are responsible for complying with the same laws and rules. Danish Flats is the largest evaporation pond operation that I know of in the state under state jurisdiction. We are attempting to address this source at this time. If you would like to provide me with additional information on other evaporative ponds in the state that you believe should also be investigated, please feel free to do so. However, what is or is not happening at other sources does not alleviate any compliance burden on Danish Flats.

I and my staff would prefer to address our concerns in a less formal manner, but the last year of experience with that approach has not proven successful. I look forward to the responses to my letter by close of business on February 28, 2011.

Sincerely,
Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

>>> On 2/14/2011 at 11:05 AM, <jbrad@edisvcs.com> wrote:

Cindy:

I received a copy of the communication from Mr. Andrus this morning.

From my first visit with Utah Oil, Gas, and Mining and through all subsequent dealings with the various state agencies, I have had nothing but total cooperation, total understanding of our situation at Danish Flats, and a wonderful working relationship with all concerned. In the last week, I have seen two threatening letters from the state of Utah (specifically the air quality control division). What is going on? What has changed? Are all evaporative facilities in Utah under the same set of timetables, demands, and threats as we are?

This change in cooperative attitude is very alarming to me.

Please discuss.

JB

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 8/19/2010 9:25 AM
Subject: RE: Address

What is the zip there?

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Thursday, August 19, 2010 9:03 AM
To: Cindy L. Nicoll
Subject: Re: Address

Hi Cindy,

Please make the check to the Utah Division of Air Quality.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 8/19/2010 8:58 AM >>>
Tim, to whom do I make the check out to??

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this

e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.441 / Virus Database: 271.1.1/3079 - Release Date: 08/18/10

06:35:00

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 6/29/2010 9:18 AM
Subject: RE: A/O

Oh, have a wonderful time. That is going to be such a treat! Talk to you when you get back.

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, June 29, 2010 9:17 AM
To: Cindy L. Nicoll
Subject: RE: A/O

Hi,

Oh yes. The cool ocean breezes of Central Oregon beckon.

Do the very best you can with the NOI and we'll go through it. If we encounter any issues we'll work through them together, OK?

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 6/29/2010 9:03 AM >>>
Sure thing. It has been a lot of work. And most of it for not. We are in the process of installing a new receiving system that will capture all VOC's and route them to the T/O. Once we get the settling pond cleaned and emptied I am told it will no longer be in operation. So, by the time you get and review the NOI, it will probably be out of date.. ?? we will go from there I guess. Have some good annual leave!! Anything fun?

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, June 29, 2010 9:00 AM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: Re: A/O

Hi Cindy,

I am doing well thank you.

That's good news. I was going to call you today, coincidentally, to ask about the progress of your efforts to develop an NOI. Next week I'll be enjoying some annual leave, but by all means send your NOI to us. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 6/29/2010 8:54 AM >>>
Hi Tim I believe the A/O application is nearing completion. I will contact you to deliver the application in the next week or two. Hope you are doing well.,

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.439 / Virus Database: 271.1.1/2969 - Release Date: 06/29/10
06:35:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.439 / Virus Database: 271.1.1/2969 - Release Date: 06/29/10
06:35:00

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 9/16/2010 8:49 AM
Subject: RE: Check

Tim, what is your zip code at the office?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Wednesday, September 15, 2010 5:13 PM
To: Cindy L. Nicoll
Subject: Re: Check

Hi Cindy,

How are you? I was wondering what happened to the check and the NOI.

You know, next week I'll be enjoying the environs in Estes Park, so no rush on sending things to us, on my account. I don't have any special instructions.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 9/15/2010 3:48 PM >>>
Tim, I just received the check for the permit review. I'm sending it with hard copy of the NOI any special instructions?

Cindy L. Elliott, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.445 / Virus Database: 271.1.1/3136 - Release Date: 09/15/10

06:34:00

From: Tim Andrus
To: Ariotti, David
CC: DeJulis, Tim
Date: 4/1/2010 3:51 PM
Subject: Re: Danish Flats

Hi Dave, I contacted Scott at Regg Olsen's suggestion, but I was wondering about you since I know you and Mark Wright have worked together. We will happily include you on the Danish Flats exchanges. Tim DeJulis is the engineer working with DF. As you likely have heard, there is some information that leads us to think that DF is a major HAP source and not the de minimis source they originally claimed to be. Tim D and I are going primarily to observe the Danish Flats operation in general and determine the exact location of the water sample used to predict air emissions. I have been working with Mark and welcome your help as well. The more feet we have on the ground there, the better.

The "tour" we are hoping for deals with a setup that is intended for use in the oil fields directly, with Uintah getting the first production version. As you noted, this is why Scott is involved.

If your schedule changes, you are more than welcome to join us on Tuesday.

Thanks

>>> On 4/1/2010 at 3:34 PM, <DARIOTTI@utah.gov> wrote:

In the future, please make sure I am in the email mailing list on Danish Flats. Danish Flats is in my District, Southeast. Scott's interest is related to applications which may be beneficial on similar facilities in his District, Tri County. I won't be able to attend the on site visit on Tuesday. I will get an update from Scott after the visit. Generally, I don't get involved in DAQ issues such as this. However, I am glad to help on any issues at your request. FYI, I get the impression DF feels Grand County is over zealous in their regulation of produced water pits. 20 years ago Grand Co. actually operated two pits and resisted regulatory efforts. I welcome the change in local attitude.

From: Tim Andrus
To: Butterfield, Emily; Love, William
CC: Baird, Chris; DeJulis, Tim; Olsen, Reginald; Wright, Mark
Date: 2/9/2011 10:16 AM
Subject: Re: Danish Flats in Violation of State and County Codes

Good morning Mr. Love,

Tim DeJulis told me that you had left a voice mail on his phone inquiring whether Danish Flats has a current air permit. I'm responding to that voice mail, so we are all on the same page.

The information provided by Grand County in March of 2010 does show a need for Danish Flats to obtain an approval order. As you are aware, the DAQ has been working with the company to get an approval order in place, but to date the information provided has left questions with DAQ staff. The DAQ mailed another information request yesterday, 2/8/11, in a final attempt to get the information.

Currently, the only completed review for Danish Flats was done in 2008 when DAQ recognized a small source status for Danish Flats based on the information available at that time. There is no current approval order for Danish Flats.

The DAQ will continue to update Grand County and other interested parties on the progress on a periodic basis.

Thanks,
Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

>>> On 2/8/2011 at 9:16 AM, <sombra@frontiernet.net> wrote:

Please forward to Grand County Attorney

Bill Love

Danish Flats has been in violation of both State codes and Grand County codes for over 6 months. Grand County advised the Division of Air Quality over 6 months ago that Danish Flats was discharging Hazardous Air Pollutions in excess of both county and state limits.

The County had a meeting (Chris Baird attended) with the Division of Air Quality concerning the problem early last year, and the Division asked for and received a Notice of Intent from Danish Flats in July, 2010 for an air quality permit. The Notice of Intent was incomplete and is incomplete six months later. Danish Flats has stalled the Division of Air Quality for over 6 months and is continuing to stall.

The health and safety of Grand County residents requires a more aggressive action by Grand County. Danish Flats needs to be given a date to complete the Application or be closed down by Grand County. The email below is from the Division of Air Quality to Grand County.

Please review the problem and advise.
Bill Love
2871 E Bench Rd.
Moab, Ut 84532

From: Tim Andrus [<mailto:TANDRUS@utah.gov>]
Sent: Monday, February 07, 2011 1:35 PM
To: Mark Wright
Cc: Reginald Olsen; Tim DeJulis
Subject: Update on Danish Flat Environmental Services Notice of Intent

To the Grand County Planning Commission and other interested parties:

Information available to the Utah Division of Air Quality (UDAQ) in March of 2010 indicated that Danish Flats Environmental Services (DFES) was exceeding the emission thresholds for the small source exemption under UAC R307-401-9. After discussions about this information, DFES submitted a Notice of Intent (NOI) on July 23, 2010. This document is the basis for obtaining an air quality approval order from the Division of Air Quality.

The NOI was deficient in several areas (which is not unusual from sources that have not been through the UDAQ process before). UDAQ has been in frequent contact with DFES in attempts to resolve the deficiencies. As of the date of this email, the deficiencies still exist.

UDAQ was also notified on November 30, 2010, that Mr. Jim Bradish of DFES has substantial doubt about the validity of test results used in the development of the NOI. He has directed his staff to retain another test firm and to coordinate with DFES' consultant, Weaver Boos, to update the NOI with additional information.

UDAQ is concerned about this turn of events and the elapsed time on this issue. UDAQ is currently holding internal discussions about approaches to resolve the situation.

Please contact me if there are further questions.

Sincerely,

Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

From: Tim DeJulis
To: Nicoll, Cindy L.
Date: 1/20/2009 11:50 AM
Subject: Re: Danish Flats Phase II

Hi Cindy,

Happy New Year.

At the time of our previous discussions and small source determination you were confident that the second phase would not trigger the requirement to obtain a permit. If you want to have DAQ re-analyze the situation, we would ask for the same chemical analyses of most highly contaminated water and air surrounding the processing units be performed. If the plant will receive the same or similar materials as before then the emission estimate calculation would simply be re-run with a larger throughput value. If new materials will be received at the plant then you will obtain those new chemical analyses, then perform emission estimate calculations. During our previous work together the Cisco plant was rather close to the 500 pound de minimis limit for a single HAP. Right now the plant is considered a de minimis source. Please let me know if I can be of any assistance.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 1/16/2009 8:15 AM >>>

Good morning Tim. I hope you are having a good new year! I just wanted to give you heads up, we are in the process of permitting Phase II. I will be submitting a small source exemption permit application for Phase II. My question is - should I wait until we have water in the ponds (so that I can run air and water analysis) or would you prefer that I submit the application when we have the conditional use permit ?? Thank you.

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

-Arvada Treatment Center, LLC

719-598-9735

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

CyberDefender has scanned this email for potential threats.
Version 2.0 / Build 4.03.29.01
Get free PC security at <http://www.cyberdefender.com>

From: Tim Andrus
To: Wright, Mark
CC: Brimhall, Melinda; DeJulis, Tim; Olsen, Reginald
Date: 3/8/2010 4:16 PM
Subject: RE: Danish Flats test results

Hi Mark,

Sorry for the delay, I was in Denver at an EPA seminar last week. I saw your assumptions in the spreadsheet and I believe they are reasonable for a first pass, especially due to a lack of more extensive data. I see that Tim DeJulis has responded to you already with some concerns of his own. All of us can sit down Thursday after the presentation to reconcile methodologies or go over other information, if you would like. Obviously, your information has gotten our attention in a big way.

Thanks Mark, talk to you soon.
Tim

>>> On 3/2/2010 at 9:36 AM, <mwright1@grand.state.ut.us> wrote:

Hi Tim,

Thanks for the check – I had an error when I gave this to our Planning Commission wrong conversion liters to gallons - glad to know it is right now.

I called the lab and the sample was taken at the outfall of the sludge pond or inlet of pond #3. At that point in the facility the only hydrocarbon recovery is the required removal of sheen from the pond surface. The skimmed water/oil is returned to the headwork of the facility.

I have a total of three water tests for this facility, I will work on entering the additional data into the spreadsheet. That should give us some indication of a trend.

We are proposing a change in the required water sample point in our ordinance to the first point in the offloading process where the production water is vented to atmosphere. This would move the sample point to the inlet of the sludge pond and I would think increase the percentage of hydrocarbon in the sample. Assuming that all the equipment that is being tested at the facility remains in place and the frac. tanks are removed.

The 72" evaporation rate was taken from the Moab pan average annual rate. I think that with the enhanced evaporation system that was in place within pond 12 this last summer the 72" estimated is conservative.

Did you have a chance to look at the assumptions on the second tab of the spreadsheet?

I would like to attend the meeting/presentation on the 11th thank you for the invitation. I think that there may be a much greater recovery of hydrocarbon with their "test" equipment running so maybe this calculation going forward would be greatly reduced. This operator in my opinion has been a good corporate citizen so I am interested in what they propose for the facility.

Thanks,

Mark Wright

Community Development Director

Grand County Engineer

125 E Center St.

Moab, UT 84532

(435)259-1368

From: Tim Andrus [<mailto:TANDRUS@utah.gov>]
Sent: Monday, March 01, 2010 6:26 PM
To: Mark Wright
Cc: Reginald Olsen; Tim DeJulis
Subject: Danish Flats test results

Hi Mark,

I decided I couldn't leave you waiting. I reran your calculations (they are correct), entered all of CAS numbers and compared them to the EPA HAP list, and verified your HAP numbers. Those are correct also.

So, possible issues: 1) the test was bad; 2) the sampling point was wrong; 3) the evaporation rate is wrong; or 4) we have an unpermitted major source on our hands.

Tim D has the previous test results also and discussed the sampling point with the source early on. I'm sure he will have more to add, but at least you know that your numbers are correct.

Regg and I are headed to Denver for the rest of the week, but I'll be checking email.

Tim

From: Tim Andrus
To: DeJulis, Tim
Date: 3/9/2010 4:45 PM
Subject: Re: Danish Flats

Thanks. Looks like the source still isn't de minimis by these numbers. We'll talk to them more on Thursday.

>>> On 3/9/2010 at 4:30 PM, <TDEJULIS@utah.gov> wrote:
Hi,

Here is my spreadsheet. I have some caveats:

I do not have access to Q4 data. My calculations are based on Q3 data. Mark's calculations are based on Q4 data.

You'll want to talk with Mark about the dilution issue. He left a phone message for me today, and I spoke with the analyst who performed the testing. Both were able to confirm that we use the reported result without involving the dilution factor.

Here's her contact information: Elizabeth McDowell, with ALS, 970-245-5897 if you care to ask her any questions.

My water volume is 1.5 times Mark's water volume. When I put his volume in my calculation and vice versa the numbers agree quite well to spite the fact that we are working from different quarterly analyses.

I've attached Mark's spreadsheet and taken the liberty of removing the dilution factor from his raw data worksheet. He confirmed the result that shows in this new version in his message to me today.

Thank you.

Tim D.

>>> Tim Andrus 3/8/2010 4:27 PM >>>

Wish you would have talked to me about all of this before you sent the email to Mark. He laid out his assumptions and noted that they were simplifying the calculations. You wrote this email in a manner that I feel is condescending. Mark knows how his assumptions affect the calculations, and I respect his expertise. Also, I don't know where you got the information on the dilution factors, but you addressed the issue as if Mark is unaware of how the samples were handled. So, I have issues with your first three significant paragraphs.

Perhaps you could write up a similar spreadsheet showing how you did your calculations to get the result that Regg and I relied on. I am quite certain that you can organize your information as well as Mark did. Then we can put the spreadsheets side by side and feed them the same data to see how it compares.

We'll talk more Wednesday and you can show me your spreadsheets.

>>> On 3/8/2010 at 3:19 PM, <TDEJULIS@utah.gov> wrote:
Hi Mark,

Thank you for the advance warning and for sharing your work with us. The information in your spreadsheet is organized well and it was easy to follow the information presented.

I have a couple of concerns after looking at your analysis. One is the use of pan evaporation in your calculations. Pan evaporation is a test method that is based on a 48 inch diameter tray of prescribed depth, ten inches with two inches of free-board. It may not be scientifically valid to extrapolate from the pan evaporation depth to the 15 foot depth of each impoundment. The actual evaporation rate from each impoundment, when full or nearly so, may be significantly less than 72 inches per year. Complicating this approach are the assumptions that you include to resolve the rigor needed to be consistent with the physics.

pH has a significant effect on the solubility of hydrocarbons in water. Several carbon based chemical species tend to remain soluble in water vs. vaporizing, especially as the concentration of that molecule in water approaches zero. By assuming that a given weight of VOC evaporates per unit volume of waste water is dimensionally inconsistent. The correct approach is to examine the amount of each VOC on a volume % basis then convert that volume of each species to it's equivalent weight, based on its density at an assumed average temperature.

My next concern is that you multiply the reported concentration by the dilution factor. The analytical lab already took dilution into account in the result they report. In essence, you are doubling the dilution correction in each case making the concentration 4 to 50 times larger than measured in the lab. The lab has to dilute a high concentration sample such that the analytical device in question can measure it between the LDL and the UDL. The analyst keeps track of the serial dilutions performed and then multiplies the valid analytical result by the amount of dilution.

The health standards established by the ACGIH and incorporated into Utah air quality regulations are concentration based, micrograms per cubic meter over short averaging periods between an hour and 24 hours. Determining the off-property concentration of the various HAPs would require the use of an air dispersion modeling analysis.

My approach was to account for the mass of material arriving and then assume all that could be emitted, (ie VOC) would be. I used a rolling 12-month average based on total volume and assuming the most recent chemical composition. Using the same chemical analyses our individual calculations should at least be the same order of magnitude, if not the same. My recommendation going forward is for Danish Flats to prepare emission estimate calculations on their own behalf. In such a case, I would expect that their analysis be rigorous and conservative enough to account for a material balance.

You are most welcome to be here for the Purestream presentation. I look forward to meeting you in person, having worked with you. If you care to discuss and reconcile our approaches to estimating emissions from Danish Flats before or during your visit to Salt Lake City, I am at your disposal.

Regards,

Timothy DeJulis

From: Tim Andrus
To: Wright, Mark
Date: 9/1/2010 2:03 PM
Subject: Re: Danish

Tim D said that Bill also called him very recently. The process is in motion, just waiting on more feedback from Cindy. Not much more I can say right now.

-----Original Message-----

From: "Mark Wright" <mwright1@grand.state.ut.us>
To: Andrus, Tim <tandrus@utah.gov>

Sent: 9/1/2010 1:50:54 PM
Subject: RE: Danish

Hi Tim,

FYI - Bill Love has contacted my office inquiring about the progress on Danish Flats AO permit. He has stated that he is going to the County Council meeting on the 7th and make this same inquiry during the Public Comment portion of the Council Meeting. He has used this forum in the past to get press on this issue.

Mark

From: Tim Andrus [mailto:TANDRUS@utah.gov]
Sent: Wednesday, September 01, 2010 11:41 AM
To: Mark Wright
Subject: Danish

That other email is the official one. Cindy has been out for surgery, we're told, but we are expecting additional information anytime now.

The project is still in somewhat uncharted territory for us. We are pursuing the issue as quickly as possible, given all circumstances.

Let me know if I can provide any more language.

Tim

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/8/2010 3:28 PM
Subject: RE: Emissions Estimates

Thank you for summing that all up for me!! Yikes. We will be brining a power point presentation, so yes we will need a computer and projector. Let me know if that doesn't work. I will forward this e-mail on to my managers. I hope this helps get moving in the right direction.

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Monday, March 08, 2010 3:20 PM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: Emissions Estimates

Hi Cindy,

Sorry for the delay in getting back to you. I've been enjoying some R&R.

We'll be just across the parking lot from 150 North. The date is the 11th but the address is 168 North 1950 West. I've had eight people express an interest so far. I will send out another email on today to remind everyone. The meeting will be at 10:30.

Is there an intro you would like us to use on Thursday? Are there any arrangements you need, other than the overhead projector?

I don't want to take your focus off the presentation, but Mark Wright, the Grand County engineer called me February 25 with concerns that the Cisco evaporation ponds do not qualify as deminimis. He told me that he was going to send a version of his spreadsheet to DAQ and you. It appears as though you got your copy.

He took a slightly different approach to the problem than I did. I assumed that all the water throughput would evaporate in a short contemporaneous period without using the local pan evaporation rate in my analysis. I assumed that all of the VOC fraction that arrives at the receiving ponds is released as a fugitive VOC/HAP emission, less recovered quantities of condensate and oil. I went through the list of compounds in the water you gave me and rather than enter every compound as he did, I list only the federal HAPs. I added all the species present, the total HC content, to represent VOC. He averaged the concentrations in water, whereas I averaged the throughput volume.

You told me that your sampling point was from the acceptance tank, so credit was given for the amount of HC recovered and sold, what little credit there was (0.12 % to 0.35% of received water volume). If the sampling point is the evaporation pond as Mark has indicated, it would be inappropriate to credit the amount of HC recovered and sold. When I pointed out that

condensate recovery volumes were less than 10% of the condensate loading in the delivered wastewater, you assured me that my analysis was over predicting.

In May 2009 we discussed an amount of benzene and toluene that would each trigger AO requirements and you told me that: a) centripetal separation technology would soon be employed that would remove a significant percentage of the volatiles (and HAPs), though you were not able to provide any calculations that would support your assertion, and b) that Danish Flats considered itself to be de minimis and you understood the obligations to provide a NOI at the appropriate time under air quality rules.

In July 2009 the benzene, toluene situation improved slightly but was still beyond de minimis levels on paper. You explained that the centrifuge was not going to be used and in its place there was to be a new control technology (Trilogy as it has come to be called) employed. You could not describe the technology nor provide any emission estimates for proprietary reasons. The new device was to start operations in September - therefore not enough time to have a demonstrable effect on Q3 data.

By the time Q4 data was available in January of this year, several critical pieces of information were not part of the report you sent to me: namely, volume of water received, water composition analysis (including MeOH), volume of condensate sold, and condensate analysis. It was not possible for me to arrive at a considered engineering conclusion with the limited amount of data contained in the air sampling analysis. Anyway, my section manager wanted me to avoid spending any more time analyzing or evaluating the operations.

Now that there are questions from the Grand County engineer, perhaps the time has arrived for Danish Flats to document the status of their operations - de minimis, area source, or major HAPs source - whatever the case may be? Rather than Grand County or the DAQ using the analyzed data to calculate emissions, Danish Flats could prepare calculations that represents the entire process and are capable of scrutiny, based on the composition of received water. The rigorous analysis that you and your staff assemble would be the answer to any and all questions, now that the Cisco operation is as-built and the design is no longer in a state of flux.

Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/3/2010 7:35 AM >>>

Hey Tim! Just want to confirm. Our meeting is the 11th of March at 10:00 at 150 North 1950 West. Do you have attendees yet?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]

Sent: Monday, February 22, 2010 5:08 PM
To: Cindy L. Nicoll
Subject: Re: Attendees

Hi Cindy,

I haven't heard from anyone. I invited some 45 or so, section, branch, division managers and permitting staff. I opened the invite to any staff that the managers might want to attend or anyone who might be interested. I'll send something out the week of the 8th to see who all intends to attend and get that list to you then, if that's ok?

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 2/22/2010 9:03 AM >>>

Hi Tim. May I have a list of the people attending the March 11th presentation?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.435 / Virus Database: 271.1.1/2703 - Release Date: 02/22/10
07:34:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.435 / Virus Database: 271.1.1/2724 - Release Date: 03/08/10
07:34:00

From: "Cindy L. Elliott" <celllott@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 1/28/2011 6:49 AM
Subject: RE: FW: Danish Flats Air Report

I sent them to you yesterday.

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Thursday, January 27, 2011 3:46 PM
To: Cindy L. Elliott
Subject: Re: FW: Danish Flats Air Report

Hi Cindy,

Thank you. May I have the Q4 water sampling results please?

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <celllott@danishflats.net> 1/27/2011 8:08 AM >>>
Here is Q4 monitoring. It looks really good!!

Cindy L. Elliott, CHMM
Compliance Officer
Danish Flats Environmental Services, Inc.
-Southern Cross Environmental Services, LLC.

719-314-3187 Office
719-260-7720 Fax
719-494-9711 Cell
celllott@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Tim Andrus
To: Wright, Mark
Date: 7/26/2010 2:41 PM
Subject: Re: FW: Danish Flats June Report

Hi Mark,

I haven't seen this, but Tim D doesn't always share his emails.

I have been expecting an application from them, but haven't seen it yet.

What do I think? I think summa canisters are worthless here. :) I thought we had consensus that the outfall to the pond from the sludge pond would be analyzed. I'll get with Tim and see if he has heard anything else.

Thanks for the info. Fits with the rest of my Monday!

Tim

>>> On 7/26/2010 at 2:32 PM, <mwright1@grand.state.ut.us> wrote:
Hi Tim,

I did not know if Cindy had provided this to you. Let me know what you think.

Have you received anything from them yet?

Thanks,
Mark Wright
Community Development Director
Grand County Engineer
125 E Center St.
Moab, UT 84532

(435)259-1368

-----Original Message-----

From: Cindy L. Nicoll [<mailto:cnicoll@danishflats.net>]
Sent: Monday, July 26, 2010 9:37 AM
To: 'Mark Wright'
Subject: FW: Danish Flats June Report

Here is Q2 monitoring. Let me know if you have any questions.

Cindy

From: "Cindy L. Elliott" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 10/29/2010 7:44 AM
Subject: RE: FW: Danish Flats September 2010 Report

Alright. That all sounds really good. I will check with my consultant on the MEOH in water []. Have a nice weekend Mr. DeJulis.

Cindy L. Elliott, CHMM
Compliance Officer
E2 Ecological Evaporation Systems
-Danish Flats Environmental Services, Inc.
-Southern Cross Environmental Services, LLC.

719-314-3187 Office
719-260-7720 Fax
719-494-9711 Cell
cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Thursday, October 28, 2010 4:37 PM
To: Cindy L. Elliott
Cc: Tim Andrus
Subject: RE: FW: Danish Flats September 2010 Report

Cindy,

When you suggested that the processes at Danish Flats are currently being engineered and designed (or re-designed), and we placed the project on-hold, my review of the NOI also went on-hold, pending the completion of any design and engineering work.

It would be of little value for me review a process or design that is in a state of flux. However, based on work that I accomplished prior to the project being placed on-hold, here's what I can suggest. We need the analysis of methanol in received water, as it was not in the NOI. One thing that I will be looking for and asking about when design work is complete is a copy of the original analysis that led to the 178 tpy methanol, regardless of any future testing for methanol.

This is a major source of HAPs, as submitted and as such, the BACT analysis is lacking. It fails to consider all feasible control technologies. In my

engineering opinion, combustion (take your pick) of adequate capacity could easily reduce potential HAP emissions, from sources upstream of the evaporation ponds, by at least 95%.

That's as far as I got. Please let me know when you are approaching design closure. When design work is firm, I will be in a better position to offer suggestions. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 10/28/2010 2:57 PM >>>
I'm getting a divorce, it's a good thing!! You were going to finish reviewing the NOI and send me a list of questions ?? yes??

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Thursday, October 28, 2010 2:17 PM
To: Cindy L. Elliott
Cc: Tim Andrus
Subject: Re: FW: Danish Flats September 2010 Report

Hi Cindy,

Your last name appears to be different - what's the good news?

Thank you for sending the quarterly report. Were water samples collected and analyzed? As we talked about in our recent phone conversation, summa cannister testing results used in isolation are difficult for us to tie into conservative estimates of potential emissions.

It's good timing that you contacted me because it's time for me to ask what the status of your efforts to amend the recently submitted NOI is? Where are we with the process re-designs you alluded the last time we talked?

The project is on hold for now, but expect me to ask about progress on a regular basis. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 10/28/2010 1:34 PM >>>
FYI. Very favorable results.

Cindy

No virus found in this incoming message.
Checked by AVG - www.avg.com

Version: 8.5.449 / Virus Database: 271.1.1/3222 - Release Date: 10/28/10
06:34:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.449 / Virus Database: 271.1.1/3224 - Release Date: 10/28/10
06:34:00

From: Tim DeJulis
To: Elliott, Cindy L.
CC: Andrus, Tim
Date: 11/1/2010 2:23 PM
Subject: RE: FW: Danish Flats September 2010 Report

Hi Cindy,

I've looked through these appendices many times and again today. I do not see MeOH referenced anywhere in appendices C or D, in either of the two copies of the NOI that I have. If you have an analysis for MeOH in your possession could you send it to me as a pdf? Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 11/1/2010 10:46 AM >>>
Look at the NOI Appendices C& D and the analysis for the calcs should be there.

Cindy

-----Original Message-----

From: Tim DeJulis [<mailto:tdejulis@utah.gov>]
Sent: Thursday, October 28, 2010 4:37 PM
To: Cindy L. Elliott
Cc: Tim Andrus
Subject: RE: FW: Danish Flats September 2010 Report

Cindy,

When you suggested that the processes at Danish Flats are currently being engineered and designed (or re-designed), and we placed the project on-hold, my review of the NOI also went on-hold, pending the completion of any design and engineering work.

It would be of little value for me review a process or design that is in a state of flux. However, based on work that I accomplished prior to the project being placed on-hold, here's what I can suggest. We need the analysis of methanol in received water, as it was not in the NOI. One thing that I will be looking for and asking about when design work is complete is a copy of the original analysis that led to the 178 tpy methanol, regardless of any future testing for methanol.

This is a major source of HAPs, as submitted and as such, the BACT analysis is lacking. It fails to consider all feasible control technologies. In my engineering opinion, combustion (take your pick) of adequate capacity could easily reduce potential HAP emissions, from sources upstream of the evaporation ponds, by at least 95%.

That's as far as I got. Please let me know when you are approaching design closure. When design work is firm, I will be in a better position to offer suggestions. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 10/28/2010 2:57 PM >>>
I'm getting a divorce, it's a good thing!! You were going to finish reviewing the NOI and send me a list of questions ?? yes??

Cindy

-----Original Message-----

From: Tim DeJulis [<mailto:tdejulis@utah.gov>]
Sent: Thursday, October 28, 2010 2:17 PM
To: Cindy L. Elliott
Cc: Tim Andrus
Subject: Re: FW: Danish Flats September 2010 Report

Hi Cindy,

Your last name appears to be different - what's the good news?

Thank you for sending the quarterly report. Were water samples collected and analyzed? As we talked about in our recent phone conversation, summa cannister testing results used in isolation are difficult for us to tie into conservative estimates of potential emissions.

It's good timing that you contacted me because it's time for me to ask what the status of your efforts to amend the recently submitted NOI is? Where are we with the process re-designs you alluded the last time we talked?

The project is on hold for now, but expect me to ask about progress on a regular basis. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 10/28/2010 1:34 PM >>>
FYI. Very favorable results.

Cindy

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.449 / Virus Database: 271.1.1/3222 - Release Date: 10/28/10
06:34:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.449 / Virus Database: 271.1.1/3224 - Release Date: 10/28/10
06:34:00

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 1/26/2010 1:30 PM
Subject: RE: FW: DF Dec 09 - 2nd Report Revision

Awesome. We will be there on March 11th at 10:30 and ready to present shortly after! I am really excited for you guys to see this. If you like (not the same day) after the presentation, we will fly you guys up to Logan to the space dynamics lab and SAE where the unit was created. Then we fly you to Grand Junction and take you via car out to the site to see the real McCoy. Then fly you back to SLC (compliments of Purestream). We can talk about taking the trip after you see the presentation. I took the trip as a "training" exercise to prepare for taking regulators and clients. It is a really fun day - on a chartered air craft!!

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, January 26, 2010 1:25 PM
To: Cindy L. Nicoll
Subject: RE: FW: DF Dec 09 - 2nd Report Revision

Cindy,

We have the all the technological resources you'll need. Just bring your CD or flash drive with the Power Point materials and we'll be able to facilitate your presentation.

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 1/26/2010 1:10 PM >>>
OK lets go with the 11th. Will I need to bring a projector etc or are you set up with that stuff?

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, January 26, 2010 1:08 PM
To: Cindy L. Nicoll
Subject: RE: FW: DF Dec 09 - 2nd Report Revision

Cindy,

You decide - Monday the 8th or Thursday the 11th. I'll let the Division of Water Quality, Division of Environmental Response and Remediation and Divison of Oil, Gas, and Mining know about the date you choose, in case they want to attend.

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 1/26/2010 12:46 PM >>>
Oh I see now, it says except for those dates. Let's do the week of 3/8?
Any day better than the other?

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, January 26, 2010 12:44 PM
To: Cindy L. Nicoll
Subject: RE: FW: DF Dec 09 - 2nd Report Revision

Hi,

During the week of 02/22 to 02/25 my permitting colleagues and I will be attending advanced NSR training. That's why I listed those two dates. Sorry - I should have offered you that additional information before now. Were there other dates you had in mind?

Our address is 150 North 1950 West, SLC, Utah. Is there anything you need me to do to help?

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 1/26/2010 8:57 AM >>>
Shoot for 2/25 at 10:00 Am. OK What is the address?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Monday, January 25, 2010 5:31 PM
To: Cindy L. Nicoll
Subject: RE: FW: DF Dec 09 - 2nd Report Revision

Hi Cindy,

It's always fun to see enthusiasm. We can meet with you just about any Monday or Thursday afternoon with the following dates excepted: 01/28/10, 02/14/10, 02/22/10, and 02/25/10. We are capable of accommodating your power point presentation. Please pick a day that is convenient to you and give me a week to ten days notice if you can to make the announcement to this and other divisions here at DEQ.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 1/25/2010 3:49 PM >>>
YEA!! That is the goal. We want to reach out to as many of the regulators as we can. Let me know a few dates when you can and we will schedule a time to come to you. When you look for times please look for a presentation ready conference room as we will need to present using power point!! YEA!!!!

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Monday, January 25, 2010 3:42 PM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: Re: FW: DF Dec 09 - 2nd Report Revision

Hi Cindy,

For my part, I am dying of curiosity. I would love to see your presentation. I will pass this email along to managers and we'll get back to you on the idea of presenting to a larger group. We're always interested in learning about new control technologies though. If this turns out to be as turn-key and portable as you suggested to me, other DEQ divisions may be interested as well.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 1/13/2010 9:28 AM >>>
Tim, it was nice talking to you Monday. Here are the latest sampling results. There are some formatting issues with this version but other than that we will be submitting these results to Grand County.

On a separate note! How would you all at Utah air like to see a presentation on the Trilogy!!!! For BACT and RACT reasons???? Huh? Yes!!

Cindy

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.432 / Virus Database: 271.1.1/2642 - Release Date: 01/25/10
07:36:00

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.432 / Virus Database: 271.1.1/2644 - Release Date: 01/25/10
07:36:00

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.432 / Virus Database: 271.1.1/2644 - Release Date: 01/26/10
07:46:00

No virus found in this incoming message.

Checked by AVG - www.avg.com
Version: 8.5.432 / Virus Database: 271.1.1/2644 - Release Date: 01/26/10
07:46:00

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.432 / Virus Database: 271.1.1/2644 - Release Date: 01/26/10
07:46:00

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/20/2010 8:05 AM
Subject: RE: FW: March 2010 Report

Hi Tim. We are testing the water. We don't have the results back yet. I agree with you that "most of the contaminants are removed" Grand County makes me do the air monitoring, weather is has any value (meaning the results) or not. I am not being allowed to move forward with the NOI yet. You know, what, call me when you have a minute...

Cindy 719-598-9735

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, April 20, 2010 7:25 AM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: Re: FW: March 2010 Report

Hi Cindy,

Thank you for sharing.

While the air samples are interesting, it's the results of the testing and analysis of the concentration of contaminants in water that is most important from the standpoint of potential air emissions. If you will, using air samples to portray emissions from the water impoundments confuses the issue. If most of the contaminants in received wastewater are removed prior to the release to the impoundments then the summa canisters testing is unnecessary and if not, then a discrete quarterly test is unrepresentative of the average emission rate during those three months.

I can appreciate how much effort and expense goes into gathering and analyzing the air samples, but if it were possible for me to persuade you to do anything different, it would be to focus your testing on the water phase. At least that is what I think, for what it might be worth.

How's the NOI coming along? Do you have any questions for me?

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 4/19/2010 1:44 PM >>>
Here are the (Q1) March numbers. Let me know what you think.

Cindy

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.437 / Virus Database: 271.1.1/2820 - Release Date: 04/19/10

06:31:00

From: Tim Andrus
To: Wright, Mark
Date: 10/20/2010 9:19 AM
Subject: Re: FW: Proj. Name: Danish Flats 09-2010, Project ID: 13754, Final Report: WO# 1010003A, Air Toxics Ltd.

Hi Mark, not really. Cindy was late getting her NOI in and even then she thought that we were going to help her develop it more before it was official. DF is looking at more equipment but it is still in the design stage.

I'll take a look at your attachments and get back to you with more.

Btw, I'll very likely be in your area in the next few weeks for a hearing in Blanding.

Tim

>>> On 10/20/2010 at 8:19 AM, <mwright1@grand.utah.gov> wrote:

Hi Tim,
Are we getting anywhere with Danish Flats? Here is the latest from them to me on air quality.
Thanks,
Mark Wright
Community Development Director
Grand County Engineer
125 E Center St.
Moab, UT 84532

(435)259-1368

From: jluta@airtoxics.com [<mailto:jluta@airtoxics.com>]
Sent: Tuesday, October 19, 2010 12:25 PM
To: emcdowell@eaa-co.com; cnicoll@danishflats.net; mwright1@grand.state.ut.us
Subject: Proj. Name: Danish Flats 09-2010, Project ID: 13754, Final Report: WO# 1010003A, Air Toxics Ltd.

Dear Ms. Elizabeth McDowell,
Thank you for choosing Air Toxics Ltd. to provide your analytical services.
Your final report information appears below.

Project Name:
Danish Flats 09-2010

Date Received:

10/1/2010

Date Promised:

10/15/2010

Sample Listing

**Sample
Analysis
Collection Date
Pressure**

P1W
Modified TO-15
9/30/2010
12.4 "Hg

P1C
Modified TO-15
9/30/2010
12.0 "Hg

P1E
Modified TO-15
9/30/2010
11.0 "Hg

P2W
Modified TO-15
9/30/2010
10.6 "Hg

P2E
Modified TO-15
9/30/2010
10.6 "Hg

Attached to this email are your Final Report and Chain of Custody. These documents are provided in Adobe PDF Format for your convenience. Additionally, we are pleased to provide the data as an EXCEL Report for your added convenience. This is an exciting new feature that will accompany all standard reports moving forward.

Adobe Reader is required to view PDF files. If you do not have Adobe Reader, you can download a free copy from the Adobe web site. (<http://www.adobe.com/products/acrobat/readstep2.html>)

If you are expecting a Client Specific Electronic Data Deliverable (EDD) or Data Validation Package (eCVP), you will receive a separate notification when it is complete.

If you have any questions or concerns please contact me at your earliest convenience. My goal is to ensure that your project expectations are met with early and prompt resolution.

Your Final Report and EXCEL Report (as well as all project related documents) can also be accessed at <http://data.airtoxics.com>. Please contact me if you need assistance accessing this service.

Thank you for your continued business. Notes: This Workorder (1010003A) is one of a multipart workorder, consisting of the following fractions: 1010003A, 1010003B, 1010003C. Each Workorder Fraction will be delivered in a separate

report.
Sincerely,

Jacquelyn Luta
Project Manager
Air Toxics Ltd.
180 Blue Ravine Road, Ste. B
Folsom, CA 95630

916-985-1000 Ext. 1012
jluta@airtoxics.com

www.airtoxics.com
800-985-5955
Celebrating 20 Years of Excellence

LO

CONFIDENTIALITY NOTICE: This communication and any accompanying documents are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. If you have received this communication in error, please contact our IS Department at its Internet address or by telephone at (916)985-1000.

From: Tim DeJulis
To: Elliott, Cindy L.
CC: Andrus, Tim
Date: 11/30/2010 9:44 AM
Subject: Re: FW: Summary of Call with Tim DeJulius

Hi Cindy,

Do you mind sending me a copy of the call summary referenced throughout this email chain, please? As always I am available to discuss any issues you may have, at your convenience. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 11/30/2010 9:04 AM >>>
Tim, Good morning. I understand you spoke with Weaver Boos yesterday. They sent me a summary of your conversation. I shared that information with my management. The Chief Executive Officer of Danish Flats provided his comments to me as seen below. Please let me know your thoughts.

Cindy

-----Original Message-----

From: Jim Bradish [<mailto:jbrad@edisvcs.com>]
Sent: Tuesday, November 30, 2010 8:51 AM
To: 'Cindy L. Elliott'
Subject: RE: Summary of Call with Tim DeJulius

Cindy:

I have reviewed the Summary of Call as submitted by Mr. Hockman. It is apparent that the report that was discussed by Utah Air Quality Control and Hockman is, at best, skewed, and more likely, totally incorrect, non-representative, and embarrassing.

I will ask you to withdraw this report, and move forward to: a) employ another air-quality, field testing company that can properly identify and, therefore, collect air emissions in a manner that will provide to Danish Flats accurate and real time results b) research available labs that specializes in air emissions testing, proper result interpretation, and reporting of results. The newly collected samples will then be submitted to that lab for analysis.

Once a) & b) are complete, consult with Weaver Boos to determine the fastest and most efficient manner of removing the old, skewed air quality sampling results, and replace with what we will have been determined to be accurate results of air emissions correctly gathered, identified, and submitted to the lab.

As we undertake this task, I respectfully request that you determine from the state of Utah, the rules, regulations, and guidelines imposed on all of the other evaporative pond facilities that are under the jurisdiction of the state of Utah. Once we have those guidelines and the list of facilities involved, I wish to have a group discussion with the managers of each to identify and discuss the standards that have been imposed. Once we have an industry-wide standard for all of the Utah operators, we will compare and assure ourselves that we all are on the same compliance page and

are speaking in the same compliance language.

Until these tasks are complete, I will ask that all communication be restricted to you and the state of Utah without any "middle man" interpretation.

I am available to answer questions.

JB

-----Original Message-----

From: Cindy L. Elliott [<mailto:cnicoll@danishflats.net>]

Sent: Monday, November 29, 2010 4:01 PM

To: 'Jim Bradish'

Subject: FW: Summary of Call with Tim DeJulius

Jim, please look over these comments. I would like for you to join in the call tomorrow at 9 if you can. I think it's important that you hear all of this.

Cindy

-----Original Message-----

From: Nowak, Neil [<mailto:nnowak@weaverboos.com>]

Sent: Monday, November 29, 2010 3:57 PM

To: Nicoll, Cindy

Cc: jhockman@weaverboos.com

Subject: FW: Summary of Call with Tim DeJulius

Cindy,

Tim DeJulius, Utah air group, called us today to discuss Danish Flats.

Please see Hockman's summary below.

Can we discuss tomorrow, Nov 30th at 9am?

Thanks

Neil

Sent from my HTC Touch Pro2 on the Now Network from Sprint®.

Neil Nowak | Senior Project Manager

Weaver Boos Consultants

5675 DTC Boulevard | Suite 210 | Greenwood Village, CO 80111 t. 720-529-0132 | f.

720-529-0137 | m. 303-570-1858 <http://www.weaverboos.com> | nnowak@weaverboos.com

IMPORTANT NOTICE: The information contained in this email message (including any attachments) may be confidential, privileged or both, and is intended exclusively for the addressee(s) intended by the sender. If it appears you have received this email message in error, please notify the sender immediately and then delete; any other use of this email message is

prohibited. Thank you.

From: Tim Andrus
To: DeJulis, Tim
Date: 7/26/2010 2:55 PM
Subject: Re: Fwd: FW: DFES NOI Draft

Thanks. Be very thorough on documenting your agreement or disagreement with their calculation methodologies. I suspect that this one could provoke more interest.

>>> On 7/26/2010 at 2:48 PM, <TDEJULIS@utah.gov> wrote:
As you requested.

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 7/23/2010 8:06 AM >>>
Tim, here is an electronic copy of the DRAFT NOI. I will have two hard copies to you next week.
Have a great weekend!!

Cindy

From: Tim Andrus
To: DeJulis, Tim
Date: 4/20/2010 3:42 PM
Subject: Re: Fwd: Water Analysis

Try it. If we have two spreadsheets with similar results, so much the better. :)

-----Original Message-----

From: Tim DeJulis
To: Andrus, Tim <tandrus@utah.gov>

Sent: 4/20/2010 3:00:20 PM
Subject: Fwd: Water Analysis

FYI

This information was also sent to Mark Wright. I was curious to input these latest numbers into my spreadsheet which should take 10 minutes. I would expect the same, or very nearly the same outcome, however.

What do you want me to do with this information?

Tim. D

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 4/20/2010 1:35 PM >>>
Here is the water analysis from Q1 monitoring.

Cindy

From: "Cindy L. Elliott" <celllott@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 2/14/2011 8:26 AM
Subject: RE: January 24, 2011

I have received. I'm not sure on this one either. Tim Andrus states that you sent me an e-mail on 1/24/2011 and I do not have an e-mail from you on that date?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Monday, February 14, 2011 7:57 AM
To: Cindy L. Elliott
Cc: Mark Wright; Jay Morris; Tim Andrus
Subject: Re: January 24, 2011

Hi Cindy,

Here is the email you are asking about. Could you confirm delivery please?
Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <celllott@danishflats.net> 2/12/2011 12:07 PM >>>
Can you forward your e-mail dated in the subject line to me? I don't seem to have one with that date?

Cindy L. Elliott, CHMM

Compliance Officer

Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-314-3187 Office

719-260-7720 Fax

719-494-9711 Cell

celllott@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Amy Hansen <ahansen@pstrep.com>
To: Tim Andrus <TANDRUS@utah.gov>, Tim DeJulis <tdejulis@utah.gov>
CC: Justin Spaeth <justinspaeth@pstrep.com>, <michael.wojcik@energydynamicsl...>
Date: 3/23/2010 8:30 AM
Subject: Re: Justin Spaeth - Purestream Technology

Hi Tim and Tim,

Thanks for joining us yesterday in Logan. I hope it was informational for you and you were able to learn more about Purestream.

Please let me know if you questions. I can't guarantee I know the answer, but I can direct you to the correct person.

Also, I know you had some questions regarding Danish Flats. We'll have Cindy touch base with you soon.

Thanks,

Amy

On Wed, Mar 17, 2010 at 4:34 PM, Tim Andrus <TANDRUS@utah.gov> wrote:

> Tim and I can get up to Logan about 11 am. Let us know if that still
> works.

>

>

> >>> On 3/17/2010 at 4:14 PM, <justinspaeth@pstrep.com> wrote:

> Timothy D,

> This tour is going to be different than the full tour we discussed in

> your office. It's really more of an academic tour than a show and tell. This

> one will start in Logan and end in Logan.

> Tim A,

> We can push it back if that works better for you. What time are you

> thinking?

> Thanks,

> Justin

>

> On Wed, Mar 17, 2010 at 2:02 PM, Tim DeJulis <tdejulis@utah.gov> wrote:

>

>> Hi Justin,

>>

>> I am available for a tour on either those days. My understanding is that

>> air travel from SLC to Logan, to Grand Junction, returning to SLC was

>> involved - is that correct? If so, what time would we need to be at the

>> airport? I can be available for the tour as early as 0830.

>>

>> Will it be possible to coordinate and confirm a plan that everyone can

>> participate in, in the next day, keeping in mind that Utah state offices are

>> not open on Fridays? Please let me know. Thank you.

>>

>> Regards,

>>

>> Timothy DeJulis

>>

>>

>> >>> Justin Spaeth <justinspaeth@pstrep.com> 3/12/2010 1:46 PM >>>

>> Gentlemen,

>>

>> Thank you for taking the time yesterday to meet with us. We are putting
>> together an informative tour to take place in Logan UT on the 22nd or
>> 23rd of March consisting of multiple regulatory agencies.

>>

>>

>> The tour will consist of discussions and visual representation of the Utah
>> State University Research Foundation; Space and Energy Dynamics
>> Laboratories. The USURF labs are of importance because we will be able to
>> show you the new technology we using to monitor air emissions, how they
>> have
>> designed the thermal dynamics portion of the scrubber unit, and why the
>> technology works.

>>

>> We will also be touring the Specialized Analysis Engineering firm where
>> the

>> Trilogy units are being built. This is important because you will be able
>> to see the units being built in different stages.

>>

>> I would like to extend my invitation for you to join in this informative
>> tour about the Purestream Technology. We are working to help the oil and
>> gas community overcome its environmental challenges.

>>

>> Please let me know if you are able to attend and which day would work best
>> for you.

>>

>> Warm Regards,

>>

>> --

>> Justin Spaeth

>> Purestream Technology

>> 510 South 600 East

>> Salt Lake City, UT 84102

>> TF: 866.582.8388

>> M : 970.396.5222

>> F : 970.858.9747

>> www.purestreamtechnology.com

>>

>> This document and any files or e-mail messages attached to it contain data
>> or information that is confidential, privileged or otherwise restricted
>> from

>> disclosure. If you are not the intended recipient, be aware that any
>> disclosure, copying, distribution or use of any of the data or information
>> contained herein or in any of the attachments is strictly prohibited. If
>> you

>> have received this document or transmission in error, please immediately
>> notify the sender and destroy, delete or erase this document and all
>> attachments.

>>

>>

>

>

> --

> Justin Spaeth

> Sales Engineer

> Purestream Technology

> 510 South 600 East

> Salt Lake City, UT 84102

> TF: 866.582.8388

> M : 970.396.5222

> F : 970.858.9747

> www.purestreamtechnology.com

>

> This document and any files or e-mail messages attached to it contain data

> or information that is confidential, privileged or otherwise restricted from

> disclosure. If you are not the intended recipient, be aware that any

> disclosure, copying, distribution or use of any of the data or information

> contained herein or in any of the attachments is strictly prohibited. If you

> have received this document or transmission in error, please immediately

> notify the sender and destroy, delete or erase this document and all

> attachments.

>

--

Amy Hansen

Purestream Technology

510 South 600 East

Salt Lake City, UT 84102

(801) 209-1887

From: Tim Andrus
To: justinspaeth@pstrep.com, DeJulis, Tim
Date: 3/19/2010 6:20 AM
Subject: Re: Justin Spaeth - Purestream Technology

Thanks. Have a good weekend.

Tim

-----Original Message-----

From: Justin Spaeth <justinspaeth@pstrep.com>
To: Andrus, Tim <tandrus@utah.gov>
To: DeJulis, Tim <tdejulis@utah.gov>

Sent: 3/19/2010 6:17:28 AM
Subject: Re: Justin Spaeth - Purestream Technology

Tim,

Yes, we have plenty of room anybody that wants to attend is more than welcome. We are now going to start at Specialized Analysis Engineering then go up to the UCU labs. The address for SAE is

1082 W. 1700 N.
Logan, UT 84321
Thanks see you Monday.

Justin

On Thu, Mar 18, 2010 at 3:09 PM, Tim Andrus <tandrus@utah.gov> wrote:

> Justin, do you have room for one more attendee? Another of my engineers is
> acquainted with the lab and would like to attend, but I leave it up to you.
> Thanks.

>

> >>> Justin Spaeth <justinspaeth@pstrep.com> 3/17/2010 6:13 PM >>>

>

> That works great.

> Thanks,

> Justin

>

> On Wed, Mar 17, 2010 at 4:34 PM, Tim Andrus <TANDRUS@utah.gov> wrote:

>

>> Tim and I can get up to Logan about 11 am. Let us know if that still
>> works.

>>

>>

>> >>> On 3/17/2010 at 4:14 PM, <justinspaeth@pstrep.com> wrote:

>> Timothy D,

>> This tour is going to be different than the full tour we discussed in
>> your office. It's really more of an academic tour than a show and tell. This
>> one will start in Logan and end in Logan.

>> Tim A,

>> We can push it back if that works better for you. What time are you
>> thinking?

>> Thanks,
>> Justin
>>

>> On Wed, Mar 17, 2010 at 2:02 PM, Tim DeJulis <tdejulis@utah.gov> wrote:
>>

>>> Hi Justin,
>>>

>>> I am available for a tour on either those days. My understanding is that
>>> air travel from SLC to Logan, to Grand Junction, returning to SLC was
>>> involved - is that correct? If so, what time would we need to be at the
>>> airport? I can be available for the tour as early as 0830.

>>>

>>> Will it be possible to coordinate and confirm a plan that everyone can
>>> participate in, in the next day, keeping in mind that Utah state offices are
>>> not open on Fridays? Please let me know. Thank you.

>>>

>>> Regards,
>>>

>>> Timothy DeJulis
>>>

>>>

>>> >>> Justin Spaeth <justinspaeth@pstrep.com> 3/12/2010 1:46 PM >>>
>>> Gentlemen,
>>>

>>>

>>> Thank you for taking the time yesterday to meet with us. We are putting
>>> together an informative tour to take place in Logan UT on the 22nd or
>>> 23rd of March consisting of multiple regulatory agencies.

>>>

>>>

>>> The tour will consist of discussions and visual representation of the
>>> Utah

>>> State University Research Foundation; Space and Energy Dynamics
>>> Laboratories. The USURF labs are of importance because we will be able to
>>> show you the new technology we using to monitor air emissions, how they
>>> have

>>> designed the thermal dynamics portion of the scrubber unit, and why the
>>> technology works.

>>>

>>> We will also be touring the Specialized Analysis Engineering firm where
>>> the

>>> Trilogy units are being built. This is important because you will be able
>>> to see the units being built in different stages.

>>>

>>> I would like to extend my invitation for you to join in this informative
>>> tour about the Purestream Technology. We are working to help the oil and
>>> gas community overcome its environmental challenges.

>>>

>>> Please let me know if you are able to attend and which day would work
>>> best

>>> for you.

>>>

>>> Warm Regards,
>>>

>>> --
>>> Justin Spaeth
>>> Purestream Technology
>>> 510 South 600 East
>>> Salt Lake City, UT 84102
>>> TF: 866.582.8388
>>> M : 970.396.5222
>>> F : 970.858.9747
>>> www.purestreamtechnology.com
>>>
>>> This document and any files or e-mail messages attached to it contain
>>> data
>>> or information that is confidential, privileged or otherwise restricted
>>> from
>>> disclosure. If you are not the intended recipient, be aware that any
>>> disclosure, copying, distribution or use of any of the data or
>>> information
>>> contained herein or in any of the attachments is strictly prohibited. If
>>> you
>>> have received this document or transmission in error, please immediately
>>> notify the sender and destroy, delete or erase this document and all
>>> attachments.
>>>
>>>
>>
>>
>> --
>> Justin Spaeth
>> Sales Engineer
>> Purestream Technology
>> 510 South 600 East
>> Salt Lake City, UT 84102
>> TF: 866.582.8388
>> M : 970.396.5222
>> F : 970.858.9747
>> www.purestreamtechnology.com
>>
>> This document and any files or e-mail messages attached to it contain data
>> or information that is confidential, privileged or otherwise restricted from
>> disclosure. If you are not the intended recipient, be aware that any
>> disclosure, copying, distribution or use of any of the data or information
>> contained herein or in any of the attachments is strictly prohibited. If you
>> have received this document or transmission in error, please immediately
>> notify the sender and destroy, delete or erase this document and all
>> attachments.
>>
>
>
>
> --
> Justin Spaeth
> Sales Engineer
> Purestream Technology

> 510 South 600 East
> Salt Lake City, UT 84102
> TF: 866.582.8388
> M : 970.396.5222
> F : 970.858.9747
> www.purestreamtechnology.com

>
> This document and any files or e-mail messages attached to it contain data
> or information that is confidential, privileged or otherwise restricted from
> disclosure. If you are not the intended recipient, be aware that any
> disclosure, copying, distribution or use of any of the data or information
> contained herein or in any of the attachments is strictly prohibited. If you
> have received this document or transmission in error, please immediately
> notify the sender and destroy, delete or erase this document and all
> attachments.
>

--
Justin Spaeth
Sales Engineer
Purestream Technology
510 South 600 East
Salt Lake City, UT 84102
TF: 866.582.8388
M : 970.396.5222
F : 970.858.9747
www.purestreamtechnology.com

This document and any files or e-mail messages attached to it contain data or information that is confidential, privileged or otherwise restricted from disclosure. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of any of the data or information contained herein or in any of the attachments is strictly prohibited. If you have received this document or transmission in error, please immediately notify the sender and destroy, delete or erase this document and all attachments.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/16/2010 2:27 PM
Subject: RE: Link

Thank you.

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, March 16, 2010 2:07 PM
To: Cindy L. Nicoll
Subject: Re: Link

Hi Cindy,

Here is a link to EPA's program, Water 9, v 2.0.

<http://www.epa.gov/ttnchie1/software/water/index.html>

Based on the fact that you are asking about it means that you might generate a solution in this software? I'd better get up to speed and ready to go myself, then.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/16/2010 10:44 AM >>>

Tim can you send me the link to water 2.0. I cannot find the correct link.
Thanks.

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.436 / Virus Database: 271.1.1/2748 - Release Date: 03/16/10
07:33:00

From: "Cindy L. Elliott" <celliott@danishflats.net>
To: "Tim DeJulis" <TDEJULIS@utah.gov>
Date: 2/14/2011 8:54 AM
Subject: RE: Links to Utah Rules and Guidance

Tim, I apologize I didn't see the attachment. This is the first I have seen of this document. Please Know that we are working on these issues. I don't think two weeks will be enough time as I am traveling most of this week and I just got Tim's letter on Friday. I will keep you posted. Can we ask for an extension?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:TDEJULIS@utah.gov]
Sent: Monday, January 24, 2011 1:54 PM
To: Cindy Nicoll; jbrad@edisvcs.com
Cc: Tim Andrus
Subject: Links to Utah Rules and Guidance

Hi Cindy,

Here are the rule citations and links you asked for and will want to share with others. The DAQ treats all sources equally within the existing state and federal rules that may apply to each source.

<http://www.airquality.utah.gov/>

http://www.airquality.utah.gov/Planning/Rules/Actual_Rules/current-rules.pdf

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide.pdf>

The attached document lists the missing or incomplete information in the NOI and also contains my response to the meeting summary prepared by Weaver-Boos. Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis
Engineer III
Utah Department of Environmental Quality Division of Air Quality New Source Review Section
195 North 1950 West
Salt Lake City, Utah 84116
P: 801-536-4012
F: 801-536-4099
tdejulis@utah.gov

From: Tim Andrus
To: DeJulis, Tim; Elliott, Cindy L.
CC: jbrad@edisvcs.com; Morris, Jay; Wright, Mark
Date: 2/14/2011 10:50 AM
Subject: RE: Links to Utah Rules and Guidance

Cindy,

The information requested in my 2/8/11 letter should be readily available, as most of the questions address the current state of operation of the Danish Flats facility. The potential-to-emit calculations should have already been compiled by DFES over the last eight months.

The Division has been very accommodating of all of the delays and extensions that you have requested since last spring. There does not appear to be any progress. This information is now required. You stated in your email that you received the letter on 2/11/2011. I will allow for mailing time and the holiday, but I expect the response from DFES NO LATER than close of business on Monday, February 28, 2011. There will be no further extensions to this information request from the New Source Review section.

Please copy me on all communications with my staff on any issue regarding Danish Flats.

Sincerely,
Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

>>> On 2/14/2011 at 8:54 AM, <celliott@danishflats.net> wrote:
Tim, I apologize I didn't see the attachment. This is the first I have seen of this document. Please know that we are working on these issues. I don't think two weeks will be enough time as I am traveling most of this week and I just got Tim's letter on Friday. I will keep you posted. Can we ask for an extension?

Cindy

-----Original Message-----

From: Tim DeJulis [<mailto:TDEJULIS@utah.gov>]
Sent: Monday, January 24, 2011 1:54 PM
To: Cindy Nicoll; jbrad@edisvcs.com
Cc: Tim Andrus
Subject: Links to Utah Rules and Guidance

Hi Cindy,

Here are the rule citations and links you asked for and will want to share

with others. The DAQ treats all sources equally within the existing state and federal rules that may apply to each source.

<http://www.airquality.utah.gov/>

http://www.airquality.utah.gov/Planning/Rules/Actual_Rules/current-rules.pdf

<http://www.airquality.utah.gov/Permits/FORMS/NOIGuide.pdf>

The attached document lists the missing or incomplete information in the NOI and also contains my response to the meeting summary prepared by Weaver-Boos. Please let me know if you have any questions or concerns. Thank you.

Regards,

Timothy DeJulis
Engineer III
Utah Department of Environmental Quality Division of Air Quality New Source
Review Section
195 North 1950 West
Salt Lake City, Utah 84116
P: 801-536-4012
F: 801-536-4099
tdejulis@utah.gov

From: "Nowak, Neil" <nnowak@weaverboos.com>
To: "Cindy L. Elliott" <cnicoll@danishflats.net>, "Tim DeJulis" <tdejulis@ut...>
Date: 11/3/2010 1:34 PM
Subject: RE: Methanol

We are available whenever needed to discuss the air permit.

Please send me an email with a few proposed dates/times and we'll make sure that we're available.

Thank you.

Neil

Neil Nowak | Senior Project Manager
Weaver Boos Consultants
5675 DTC Boulevard | Suite 210 | Greenwood Village, CO 80111
t. 720-529-0132 | f. 720-529-0137 | m. 303-570-1858
<http://www.weaverboos.com> | nnowak@weaverboos.com

IMPORTANT NOTICE: The information contained in this email message (including any attachments) may be confidential, privileged or both, and is intended exclusively for the addressee(s) intended by the sender. If it appears you have received this email message in error, please notify the sender immediately and then delete; any other use of this email message is prohibited. Thank you.

-----Original Message-----

From: Cindy L. Elliott [<mailto:cnicoll@danishflats.net>]
Sent: Wednesday, November 03, 2010 1:13 PM
To: 'Tim DeJulis'
Cc: Nowak, Neil
Subject: RE: Methanol

Eewwww. The week of the 15th is crazy for me. BUT, here's what I recommend... Talk to our engineers with any questions that you have. You can call Neil Nowak at 720-529-0132. I am copying him on this e-mail as a heads up for him. Otherwise, I will help with whatever I can!

Neil, see comments below.

Cindy L. Elliott, CHMM.
Compliance Officer
Danish Flats Environmental Services, Inc.

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Wednesday, November 03, 2010 12:54 PM
To: Cindy L. Elliott
Cc: Tim Andrus
Subject: Methanol

Hi Cindy,

Is there a time where we can go through this information together, perhaps the week of the 15th, or if not then close to the time that engineering work is completed? I have questions about the results for MeOH from various sampling points and want to understand how these results fit together with the summary table presented within the NOI. Then, what about the ethylene glycol that appears in the analysis and is apparently present in delivered water, but isn't mentioned in the NOI?

Please let me know. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 11/2/2010 7:52 AM >>>
Here is the backup data for the MEOH.

Cindy

From: Tim DeJulis
To: Andrus, Tim
Date: 11/3/2010 1:06 PM
Subject: Re: Methanol
Attachments: Key Labs Fax MeOH Raw Data.pdf

Hi Tim,

Good question. The analysis that we just got, with September 2010 date stamps is showing non-detect for MeOH. The analysis (attached) that I am asking her about has May 2010 date stamps and there are several results for MeOH in the mg/L range and one in the g/L range. I want her to explain what these various results mean in the context of the NOI.

Tim D.

>>> Tim Andrus 11/3/2010 1:00 PM >>>

How do they get air emissions of 120 tpy from pond 1 when the water analysis is ND for methanol??

>>> On 11/3/2010 at 12:54 PM, <TDEJULIS@utah.gov> wrote:

Hi Cindy,

Is there a time where we can go through this information together, perhaps the week of the 15th, or if not then close to the time that engineering work is completed? I have questions about the results for MeOH from various sampling points and want to understand how these results fit together with the summary table presented within the NOI. Then, what about the ethylene glycol that appears in the analysis and is apparently present in delivered water, but isn't mentioned in the NOI?

Please let me know. Thank you.

Regards,

Timothy DeJulis

>>> "Cindy L. Elliott" <cnicoll@danishflats.net> 11/2/2010 7:52 AM >>>

Here is the backup data for the MEOH.

Cindy

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 3/17/2010 10:15 AM
Subject: RE: NOI

Thanks. Did I miss the e-mail?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Wednesday, March 17, 2010 10:13 AM
To: Cindy L. Nicoll
Subject: Re: NOI

Hi Cindy,

Here it is from the other day. My colleague will not have a new guide ready for general distribution for some time so what I'm giving you is the best we can offer at this time.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/17/2010 9:43 AM >>>

Were you going to send me an outline of the components for the NOI?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the

recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.436 / Virus Database: 271.1.1/2750 - Release Date: 03/17/10

07:33:00

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <TDEJULIS@utah.gov>
Date: 3/17/2010 10:49 AM
Subject: RE: Notice of Intent - Danish Flats

Thank you. Looks like I have my work cut out for me! Yeah... booo hooo!

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:TDEJULIS@utah.gov]
Sent: Monday, March 15, 2010 5:27 PM
To: Cindy Nicoll
Subject: Notice of Intent - Danish Flats

Hi Cindy,

As per our conversation last week and also this morning, here is an outline of what information must be included in a Notice of Intent to construct and operate a stationary source of air pollution.

A NOI, or application for permit as it is also known, must contain sufficient technical information such that the engineering staff being asked to review and approve the request can arrive at a coherent, considered result that is legally defensible.

General Description of the Proposal

- A thorough description of the overall process with specific details of each operational area within the plant. More detail, more description is better than less.
- Maps: general arrangement of the plant, location within the area and state, and etc.
- Process flow diagrams
- Typical operation schedule (worst case scenario), by season if applicable.

Emission estimate calculations, uncontrolled

- Tanks
- Impoundments
- Receiving vaults
- Separation pond
- Truck loading
- Any and all combustion emissions
- Controlled emissions are the uncontrolled values multiplied by the factor $[1 - (ce/100)]$, as appropriate.

Fully document the simulation software used including print-outs of input and output files, all assumptions, and any emission factors employed for all pollutants as well as tables summarizing the results. Please include all compounds with non-zero emission rates. We'll need also an analysis of the emissions of PM2.5, NO2, and an inventory of GHG (CO2, CH4, H2O, CFCs, O3) emissions, in addition to the criteria pollutants, HAPs, and air toxics. The analysis of the emissions from the 13+ water impoundments being the most complicated, we hope that the tool(s) used will be rigorous enough to satisfy the expectations of the most demanding consumer of this information.

Since this is a unique situation, let's put our heads together on the approach to be used before any commitments are made.

BACT Analysis

- Step one: Identify all possible control technologies for all emitting units, whether feasible or not.
 - Step two: Rule out all infeasible technologies from the above list.
 - Step three: Calculate the costs (purchase, installation, on-going maintenance, and any capital costs) to implement each feasible technology.
 - Step four: Calculate the emission reductions from each technology, for each pollutant (if a control reduces more than one pollutant).
 - Step five: Calculate the cost per ton of removed pollutant for each technology and each pollutant.
 - Step six: Evaluate the energy impacts of implementing each feasible technology.
 - Conclusion: BACT is the technology that is feasible, with favorable energy considerations, with acceptable cost per ton of removed pollutant values, having the highest average control efficiency.
- Please document your analysis fully.

Equipment specifications

- Provide the details about any and all emitting equipment in use at the plant, such as combustion units, tanks, ponds, impoundments, control equipment, and so on.

Modeling Analysis

The Utah Administrative Code, Rule 307-410 outlines modeling thresholds and other considerations. The controlled emission rate will determine if any modeling thresholds are triggered. Should modeling be required, we advise consultation with one of our staff modelers.

Regards,

Timothy DeJulis

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/13/2010 10:06 AM
Subject: RE: Notice of Intent

Ok, thanks for your thoughts. This is just a difficult one. I guess I am trying to make it work in my mind, and that may not necessarily be the case in real world. So, on ward!!! Have a great day. Hey, how was the move and do you like the new digs?

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, April 13, 2010 10:04 AM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: RE: Notice of Intent

Hi Cindy,

Capturing all the vapors and combusting them is fine. A thermal oxidizer does control VOC/HAP gaseous emissions very well, as much as 98% if operated properly. What convinces me that Danish Flats is an area source of HAP emissions is the amount of condensates (HAPs) present in the evaporation ponds, as measured during physical sampling events. Danish Flats will necessarily need to demonstrate removal of the condensates fraction in water to a greater efficiency, among other things, to make the case for deminimis status.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 4/13/2010 9:45 AM >>>
Okey Dokey then. I will let the powers that be know. The thing about the receiving system is that it will capture all the VOC's and route them to the T/O. It just seemed to me that if it is capturing all the VOC's the emissions would be nil??? NO?

Cindy

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, April 13, 2010 9:42 AM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: Notice of Intent

Hi Cindy,

You are welcome. It was a pleasure to see operations there in Cisco. Thank you for taking the time to meet with our group.

I have several concerns. In this engineer's opinion, the operations at

Danish Flat constitute an area source and it remains to be seen if deminimis status can be established. Now another operating configuration is anticipated, involving receiving tanks. These tanks would need to be properly designed to allow for the full physical separation of the components that may be present in E & P wastewater.

In your recent email it is implied that Trilogy will be the control device. During our visit, it was not clear that the Trilogy process would remain in place. Assuming that it does remain, the Trilogy process apparently has too small a capacity to serve as a control for the entire steady-state inflow of wastewater.

We must determine what the emissions from the operations at Danish Flats are, before accounting for any controls. We are then in the position to assess the degree of control and consequently what the potential emissions are. When we have accounted for potential emissions, we can properly classify the Danish Flats operations.

We expect that Danish Flats will continue preparing their Notice of Intent, especially the emissions estimates, and including any new technologies that may be placed into service. DAQ will withhold any decisions until we've evaluated the calculations, equipment specifications, and proposed operating schedule contained in the NOI that Danish Flats offers.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 4/8/2010 10:58 AM >>>

Hi to you both. Thank you so much for visiting Danish on Tuesday. I want to propose a strategy, see what you think. If we are moving out all the frac tanks and putting in stationary receiving tanks that are going to recover all VOC's and HAP's and route them to the T/O and clean the settling pond, could we wait on starting the AO until the receiving system is in? I think with that done we won't need an AO. We can do a subsequent monitoring event after and get some preliminary numbers? What do you all think??

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.437 / Virus Database: 271.1.1/2806 - Release Date: 04/13/10

06:32:00

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.437 / Virus Database: 271.1.1/2806 - Release Date: 04/13/10

06:32:00

From: Tim DeJulis
To: Nicoll, Cindy L.
CC: Andrus, Tim
Date: 3/31/2010 2:17 PM
Subject: Re: Questions

Hi Cindy,

The quick answer is no. Danish Flats is the first and as far as we know of, the only one of such capacity in DAQ jurisdiction. Do you recall pointing to some large wastewater operations in Uintah County? Any one of those might need an AO, however they are in Indian Country jurisdiction.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 3/31/2010 2:07 PM >>>

Hi Tim, I have a question (for management), do any of the other E&P wastewater evaporation pit facilities in Utah have air permits?

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology
- Danish Flats Environmental Services, Inc.
- Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Pam Hackley <phackley@frontiernet.net>
To: Tim Andrus <tandrus@utah.gov>
CC: Mark Wright <mwright1@grand.utah.gov>
Date: 2/8/2011 4:06 PM
Subject: Re: Update on Danish Flat Environmental Services Notice of Intent

Thanks very much Tim.

Pam Hackley
435.259.1182

"To dance beneath the diamond sky with one hand waving free"

----- Original Message -----

From: "Tim Andrus" <tandrus@utah.gov>
To: "Pam Hackley" <phackley@frontiernet.net>, "Mark Wright" <mwright1@grand.utah.gov>
Cc: "Teri Weiss" <tweiss@utah.gov>
Sent: Tuesday, February 8, 2011 12:45:52 PM
Subject: Re: Update on Danish Flat Environmental Services Notice of Intent

Dear Pam and Mark,

I received both requests for this information this morning. Tim DeJulis and I were already compiling this same request for Mr. Bill Love, so I should be able to provide the correspondence by early next week.

I have attached a copy of the pdf version of the NOI that UDAQ received from Danish Flats on 7/23/10.

UDAQ is also taking steps to hopefully resolve the information impasse that we are experiencing with DFES.

If you need anything else, please let me know.

Sincerely,
Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

>>> On 2/8/2011 at 8:12 AM, <phackley@frontiernet.net> wrote:

Hello Tim,

I am a member of the Grand County Planning Commission. Thank you for informing us about the Danish Flat NOI situation.

Can you provide me as well as the Planning Commission and staff with a copy of the NOI and correspondence? Electronic versions would work just fine.

Thank you,

Pam Hackley
435.259.1182
HC 64 Box 3208
Castle valley, UT 84532

"To dance beneath the diamond sky with one hand waving free"

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/27/2010 12:37 PM
Subject: RE: Weaver Boos

I am please that I have been allowed to move forward!!

-----Original Message-----

From: Tim DeJulis [mailto:tdejulis@utah.gov]
Sent: Tuesday, April 27, 2010 11:49 AM
To: Cindy L. Nicoll
Cc: Tim Andrus
Subject: Re: Weaver Boos

Hi Cindy,

That's great. John Hockman already contacted me and we discussed which HAPs to focus on. I told him the same thing that we talked about the other day - no need to keep testing for compounds that have never been detected in any of the previous quarterly tests, but that BTEX plus hexane, naphthalene, and methanol are important. Test for those compounds. He wanted to use GRO-DRO testing to represent VOC content and this will be acceptable. Thank you for the heads-up.

Regards,

Timothy DeJulis

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 4/27/2010 9:47 AM >>>

Hi Tim. I wanted to give you a heads up. Our engineering firm that is helping with the NOI (A/O) is going to be calling you. Neil Nowak or John Hockman. Yes, we are moving forward!!! J Please feel free to speak with them!!

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.437 / Virus Database: 271.1.1/2836 - Release Date: 04/27/10

06:27:00

From: "Hockman, John" <jhockman@weaverboos.com>
To: "Nowak, Neil" <nnowak@weaverboos.com>
Date: 11/29/2010 3:47 PM
Subject: Summary of Call with Tim DeJulius

Spoke with Tim DeJulius today at length regarding his concerns related to the Danish Flats NOI.

Concern #1: Methanol Emissions are very high, lab numbers appear inaccurate.

* Tim was concerned about the lack of clarity related to the methanol lab data, that hexane data is still missing, and some of the analytical appeared very high. For instance, Key lab provides multiple methanol results for Pond #9, some showing near zero methanol concentration while others show concentrations as high as 1082 mg/L.

RESPONSE: We will contact lab and have them clarify results.

* The methanol emissions of 177 tons per year classify the facility as a major source and greater controls should be available at an acceptable cost to reduce this number. He indicated that Danish Flats could be expected to spend \$10,000 per ton controlling emissions if a technology was available to reduce methanol at such a cost.

RESPONSE: We indicated that we would more thoroughly evaluate the seasonal variation of methanol, as we believed our reported concentration was high. We also indicated to Tim that we believed there was biological attenuation occurring within the ponds, actively oxidizing the methanol. He agreed that it was reasonable to assume biological attenuation, but said we must perform some type of calculation or analysis to back up this assumption. We also indicated that methanol is difficult to remove, given its high degree of solubility. For instance, additional tanks or an oil water separator would be largely ineffective for methanol removal.

* Tim indicated that methanol is indeed a HAP, and that more than 10 tons of any single HAP would require the facility to have a title V operating permit.

Concern #2: Where is schematic of lid on Settlement Pond?

* In conversations with Cindy, it was Tim's understanding that a lid would be built on the settlement pond to capture off-gases and route them to a combustion device. He said that no schematic or details or cost analyses of this lid are included within the NOI.

RESPONSE: Weaver Boos would have to contact Cindy to get further details on a proposed capture lid.

Concern #3: How are longer chain hydrocarbons collected prior to volatilization when a site visit indicated otherwise?

* On a site visit in April, Tim observed the settlement pond to be very dirty and covered with a waxy block. He questioned how the site is able to skim off oil when what he observed indicated otherwise. The permit assumes that diesel range organics are collected of the settlement pond prior to volatilization.

RESPONSE: We indicated that it was our understanding that the site had been actively working on cleaning up the pond, and that it should be operating closer to design conditions where oil is skimmed off in a reasonably timely fashion.

Concern #3: Trilogy is inadequate as a combustion device.

* Tim toured the site with a number of engineers from the state who all agreed that the Trilogy is inadequate as a combustion device for the site. This is based on their understanding that it was designed to process gases from a number of wellheads at most, which he believes the volume of off-gases at Danish Flats far exceeds. He also said that the unit is still undergoing testing and operates intermittently.

RESPONSE: We indicated that we would follow up on design or testing data from the trilogy unit which shows that it is capable of combusting all the off-gases collected at Danish Flats. If it was found that the unit was inadequate, installation of another combustion device would be evaluated. I did not comment on the intermittent operation of the trilogy.

Tim said that we need to move the permit application forward ASAP, that a number of environmental groups are pressing the state for action with respect to Danish Flats and that the public comment period is sure to raise a number of questions.

John Hockman | E-I-T

Weaver Boos Consultants

5675 DTC Boulevard | Suite 210 | Greenwood Village, CO 80111

t. 720-529-0132 | f. 720-529-0137

www.weaverboos.com | jhockman@weaverboos.com

IMPORTANT NOTICE: The information contained in this email message (including any attachments) may be confidential, privileged or both, and is intended exclusively for the addressee(s) intended by the sender. If it appears you have received this email message in error, please notify the sender immediately and then delete; any other use of this email message is prohibited. Thank you.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim Andrus" <tandrus@utah.gov>, "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/8/2010 10:58 AM
Subject: Thank You.

Hi to you both. Thank you so much for visiting Danish on Tuesday. I want to propose a strategy, see what you think. If we are moving out all the frac tanks and putting in stationary receiving tanks that are going to recover all VOC's and HAP's and route them to the T/O and clean the settling pond, could we wait on starting the AO until the receiving system is in? I think with that done we won't need an AO. We can do a subsequent monitoring event after and get some preliminary numbers? What do you all think??

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 2/8/2010 10:21 AM
Subject: Trilogy

Tim, per your request here is some information on the Trilogy by Purestream Technology.

"the world's first economically viable, environmentally responsible well head solution created to address the profound issues facing the world's oil & gas production fields today and in the future."In addition to produced wastewater, the industry faces profound air emission and energy challenges as well as oil and condensate data tracking inefficiencies. Air emissions: A variety of damaging air contaminants are emitted throughout the oil and gas development process. The current levels being emitted are permanently harmful to the environment and present an enormous obstacle to the continued drilling of oil and gas in the United States. These compounds are released from a variety of sources including

- . Condensate tanks: BTEX
- . Dehydrators: BTEX and other VOC's
- . Engines: NOx, SOx, CO, BTEX, formaldehyde, PAH and various metals
- . Flaring: Hydrogen sulfide, BTEX, formaldehyde, PAH, acetaldehyde, and VOC's
- . Fugitive emissions from leaks
- . Evaporation ponds (VOC pollution and danger to wildlife)

So what is the Trilogy? The Trilogy is the world's finest available technologies, science, procedures, monitoring methods, remote control capabilities and delivery system into one cohesive product developed to address challenges faced in the oil & gas fields. The Trilogy process takes place at the well head by destroying 99% of emitted VOC's disposing of produced wastewater and providing clean, combined power product for future use.

We are excited to see you on the 11th of March and have the opportunity to present the Trilogy to you. Thank you.

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Tim Andrus
To: Wright, Mark
Date: 9/1/2010 11:36 AM
Subject: Update: Fwd: FW: DFES NOI Draft
Attachments: Danish Flats NOI DRAFT.pdf; Form01.doc

UDAQ received an electronic copy of a draft NOI on 7/23/10. There has been continuing discussion with Danish Flats over details since receipt of the draft, so the project is not officially underway in NSR. Given the different perspectives on determining emissions from this type of source, UDAQ has not taken any compliance action with this source. Instead, staff is working closely with the source to obtain the best information and devise the best process and controls.

Let me know if this will suffice for your update.
Tim

>>> On 7/26/2010 at 2:48 PM, <TDEJULIS@utah.gov> wrote:
As you requested.

>>> "Cindy L. Nicoll" <cnicoll@danishflats.net> 7/23/2010 8:06 AM >>>
Tim, here is an electronic copy of the DRAFT NOI. I will have two hard copies to you next week.
Have a great weekend!!

Cindy

From: Pam Hackley <phackley@frontiernet.net>
To: Tim Andrus <tandrus@utah.gov>
Date: 2/8/2011 8:12 AM
Subject: Update on Danish Flat Environmental Services Notice of Intent

Hello Tim,

I am a member of the Grand County Planning Commission. Thank you for informing us about the Danish Flat NOI situation.

Can you provide me as well as the Planning Commission and staff with a copy of the NOI and correspondence? Electronic versions would work just fine.

Thank you,

Pam Hackley
435.259.1182
HC 64 Box 3208
Castle valley, UT 84532

"To dance beneath the diamond sky with one hand waving free"

From: Tim Andrus
To: Wright, Mark
CC: DeJulis, Tim; Olsen, Reginald
Date: 2/7/2011 1:35 PM
Subject: Update on Danish Flat Environmental Services Notice of Intent

To the Grand County Planning Commission and other interested parties:

Information available to the Utah Division of Air Quality (UDAQ) in March of 2010 indicated that Danish Flats Environmental Services (DFES) was exceeding the emission thresholds for the small source exemption under UAC R307-401-9. After discussions about this information, DFES submitted a Notice of Intent (NOI) on July 23, 2010. This document is the basis for obtaining an air quality approval order from the Division of Air Quality.

The NOI was deficient in several areas (which is not unusual from sources that have not been through the UDAQ process before). UDAQ has been in frequent contact with DFES in attempts to resolve the deficiencies. As of the date of this email, the deficiencies still exist.

UDAQ was also notified on November 30, 2010, that Mr. Jim Bradish of DFES has substantial doubt about the validity of test results used in the development of the NOI. He has directed his staff to retain another test firm and to coordinate with DFES' consultant, Weaver Boos, to update the NOI with additional information.

UDAQ is concerned about this turn of events and the elapsed time on this issue. UDAQ is currently holding internal discussions about approaches to resolve the situation.

Please contact me if there are further questions.

Sincerely,
Tim

Timothy R. Andrus
Environmental Program Manager

Utah Division of Air Quality
Minor New Source Review Section
tandrus@utah.gov
Phone 801.536.4429
Fax 801.536.4099

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>, "Mark Wright" <mwright1@grand.sta...>
CC: "Nowak, Neil" <nnowak@weaverboos.com>
Date: 4/20/2010 1:47 PM
Subject: Water Analysis
Attachments: D12117.PDF

Here is the water analysis from Q1 monitoring.

Cindy

From: "Cindy L. Nicoll" <cnicoll@danishflats.net>
To: "Tim DeJulis" <tdejulis@utah.gov>
Date: 4/27/2010 9:47 AM
Subject: Weaver Boos

Hi Tim. I wanted to give you a heads up. Our engineering firm that is helping with the NOI (A/O) is going to be calling you. Neil Nowak or John Hockman. Yes, we are moving forward!!! J Please feel free to speak with them!!

Cindy L. Nicoll, CHMM

Compliance Officer

E2 Ecological Evaporation Systems

- Purestream Technology

-Danish Flats Environmental Services, Inc.

-Southern Cross Environmental Services, LLC.

719-494-9711

cnicoll@danishflats.net

This e-mail is confidential and is intended solely for the use of the recipient (the part to whom it is addressed). This message may contain material protected by the attorney-client privilege. If you are not the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.