

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED
MAR 17 2010
Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
)
Mr. Ted Hamilton)
Regency of Wyoming)
50 Reliance Road #1A)
Rock Springs, Wyoming 82901)
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)
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)

DOCKET NUMBER 4647-10

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Regency of Wyoming, Inc. (Regency) operates a wastewater treatment facility (WWTF) in Sweetwater County, Wyoming which is permitted to discharge through the Wyoming Pollution Discharge Elimination System (WYPDES), permit number WY0022128. The WWTF consists of an extended aeration package plant, a chlorinator, a dechlorinator, and a polishing pond. The treated effluent is discharged to Killpecker Creek (class 3B), tributary to Bitter Creek (class 2C), which is tributary of the Green River (class 2AB water).
2. Regency has documented effluent exceedances of fecal Coliform, BOD, and numerous missed samples in submitted Discharge Monitoring Reports (DMRs). These are all violations of the permit requirements in WY0022128.
3. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible;

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING

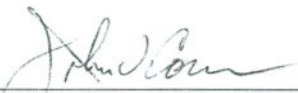
WHEREFORE IT IS HEREBY ORDERED THAT:

1. **Within 30 days from the receipt of this Notice of Violation Regency will submit a comprehensive plan of action to DEQ for review and approval to correct the deficiencies of the Regency WWTF.**
2. **Regency will submit any of the missing Discharge Monitoring Report data for 2009, if available, within 30 days of the date of this Notice.**

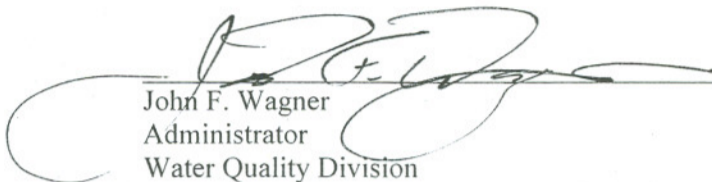
This ORDER is final unless it is appealed in writing within the ten (10) day time limit prescribed by W.S. 35-11-701(c). If a hearing is requested, the first hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of the Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

Signed this 14 day of MARCH, 2010.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

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

JVC/JFW/KMW/bb/10-0206

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Bill DiRienzo ► Kevin M. Wells ► Lou Harmon (PDF)
NOV Docket 4647-10
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)