

10-3217

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUN 18 2010

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
)
Mr. Matthew Cortez)
Engineer)
Reiman Corporation)
P.O. Box 1007)
Cheyenne, WY 82003)
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DOCKET NUMBER 4691-10

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Reiman Corporation (Reiman) is the operator of the Gateway South Grading construction site located in Laramie County, Wyoming. The construction site has received authorization for storm water discharges associated with new and existing "large construction activities through the Wyoming Pollution Discharge Elimination System (WYPDES), authorization WYR103922.
2. The Wyoming Department of Environmental Quality, Water Quality Division (WQD) conducted an inspection of the facility on May 11, 2010. Violations from this inspection included: excessive erosion around the staging area, inadequate Best Management Practices (BMPs) to control erosion and sediment transport, failure to armor the storm water channel with Turf Reinforcement Mat (TRM), and failure to update the Storm Water Pollution Prevention Plan (SWPPP) and site map.
3. The Large Construction General Permit (LCGP) states in section 7.4 SWPPP Implementation, part 2 "Projects beginning after September 1, 2006 For projects that begin after the effective date of this permit, the SWPPP must be implemented immediately and throughout the duration of the construction activity and up until the site is finally stabilized." Failure to meet these requirements is a violation of Chapter 2 of the Wyoming Water Quality Rules and Regulations.

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:

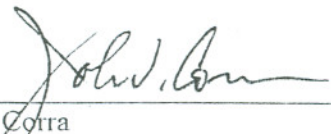
1. Reiman shall immediately submit to the WQD a plan of action to meet WYPDES storm water requirements for the facility. This information shall be received by the WQD no later than 30 days from the date of this NOV and Order.

2. Within 30 days of receipt of this NOV and Order Reiman shall address site stabilization with implementation and/or upgrading BMPs (Best Management Practices) as required in the WYPDES storm water permit until the construction site has been stabilized.
3. Within 30 days of receipt of this NOV and Order Reiman shall update the site map associated with the SWPPP to illustrate current BMP placement and site conditions as required in the WYPDES storm water permit and continue this requirement until the construction site has been stabilized.

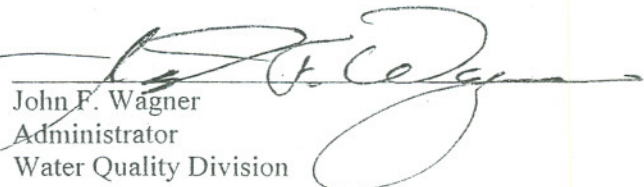
This ORDER is final unless, no later than ten (10) days after the date this notice is received; it is appealed by filing a written request for a hearing before the Environmental Quality Council. If a hearing is requested, the hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality 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 11 day of JUNE, 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 Manager, 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/rm/10-0473

cc: Natasha Davis, 8ENF-W-NP, EPA Region 8 (PDF)
Jim Eisenhauer, WYPDES Inspection Program Coordinator (PDF)
Bill DiRienzo ► Kevin Wells ► John Gorman (PDF)
NOV Docket **4691-10**
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)