

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

SEP 01 2010

Jim Ruby, Executive Secretary  
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF )  
VIOLATION AND ORDER ISSUED TO: )

Wyoming State Parks and Historic Sites )  
2301 Central Avenue )  
Cheyenne, Wyoming )

DOCKET NUMBER 4722-10

NOTICE OF VIOLATION AND ORDER

**NOTICE IS HEREBY GIVEN THAT:**

1. Wyoming State Parks and Historic Sites (WSPHS) operates Hot Springs State Park in Thermopolis, Wyoming in Hot Springs County, Wyoming which is permitted to discharge through the Wyoming Pollution Discharge Elimination System permit WY0053031.
2. Part I of the above referenced permit, under the Monitoring and Reporting Requirements requires that effluent monitoring results obtained during the previous three month(s) shall be summarized and reported on a Discharge Monitoring Report (DMR). The DMRs are to be submitted to the Department of Environmental Quality (DEQ) and postmarked no later than the 28<sup>th</sup> day of the month following the completed reporting period. To date the DEQ/Water Quality Division (WQD) has not received the Second Quarter 2010 DMRs.
3. DEQ has issued 3 previous Letters of Violation (LOV) to Wyoming State Parks and Historic Sites for late submittal of DMR's. This continued late submittal of DMR's to the DEQ is a violation of permit requirements.
- 4.. 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. WSPHS shall immediately submit the complete and accurate delinquent report to the WQD. This information shall be received by the WQD no later than 20 days from the date of this NOV and Order.
2. Within thirty (30) days of receipt of this Order, WSPHS shall submit to the WQD a written description of actions taken to insure that future Discharge Monitoring Reports will be submitted on time.

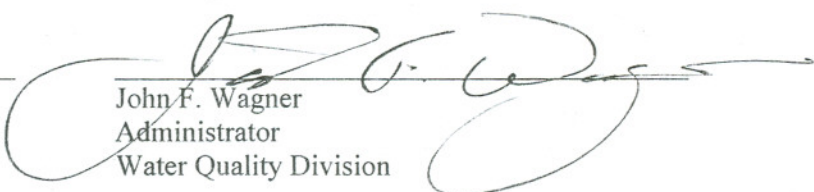
This ORDER is final unless, no later than ten (10) days after the date this notice is received; it is appealed by filing a written request for a hearing before the Environmental Quality Council. If a hearing is requested, the hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality

Council, Room 1714 Herschler Building, 1<sup>st</sup> Floor West, 122 West 25<sup>th</sup> St., Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of the Environmental Quality, Herschler Building, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> 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 30 day of August, 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, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/KMW/bb/rm/10-0736

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)  
Jim Eisenhower, WYPDES Inspection Program Coordinator (PDF)  
Bill DiRienzo ► Kevin M. Wells (PDF)  
NOV Docket **4722-10**  
Environmental Quality Council  
Director, DEQ  
Keith Guille, DEQ Public Information Office (PDF)