



# Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Dave Freudenthal, Governor

John Corra, Director

June 28, 2010

CERTIFIED Mail #7007 0710 0000 3817 5253

Return Receipt Requested

Michael D. Marble  
Fontenelle Store  
HC 65  
Kemmerer, WY 83101

10-5206  
**FILED**

**JUL 02 2010**

Jim Ruby, Executive Secretary  
Environmental Quality Council


Dear Mr. Marble:


Enclosed you will find a Notice of Violation and Order, Docket Number 4645-10, issued under the provisions of W.S. 35-11-701(c). You have been reminded on multiple occasions regarding the deadline to upgrade the aboveground storage tanks (ASTs) located at The Fontenelle Store. You were also informed that the tank fees for this facility were past due.

Please be aware that the attached Notice of Violation contains an Order detailing what must be done to eliminate and rectify these violations. This order prohibits the delivery of fuels to the retail ASTs located at The Fontenelle Store until this matter is resolved.

ANY APPEALS TO THE ENVIRONMENTAL QUALITY COUNCIL FROM THE ATTACHED ORDER MUST BE MADE IN WRITING WITHIN THE TEN (10) DAY TIME LIMIT PRESCRIBED BY W.S. 35-11-701(c). Chapter I, Section 3 of the enclosed Department of Environmental Quality Rules of Practice and Procedure sets forth the requirements for the initiation of appeal proceedings. You are urged to review all of the provisions of the attached Rules of Practice and Procedures as they relate to this action.

If you appeal this order and request a hearing, please file two (2) copies of your written petition. One copy of the petition should go to the Chairman of the Environmental Quality Council at Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition should be sent to John V. Corra, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

  
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John V. Corra  
Director  
Department of Environmental Quality

  
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Carl Anderson, PhD  
Administrator  
Solid and Hazardous Waste Division

JVC/CA/KH/OG/

Enclosure: Notice of Violation and Order, Rules of Practice and Procedure

