



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

July 08, 2010

CERTIFIED #7007 0710 0000 3817 5307
Return Receipt Requested

Michael G. Pexton
Bear River Resources
P. O. Box 384
Evanston, WY 82930

Dear Mr. Pexton:

Enclosed you will find a Notice of Violation and Order, Docket Number 4703-10, issued under the provisions of W.S. 35-11-701(c). The retail aboveground storage tanks (ASTs), located at the former Tri Valley Bulk Plant, have not been upgraded in accordance with Wyoming Water Quality Rules and Regulations, Chapter 17. The ASTs were to have been upgraded by October 1, 2008.


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 former Tri Valley Bulk Plant 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 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.



John V. Corra
Director
Department of Environmental Quality



Carl Anderson, PhD
Administrator
Solid and Hazardous Waste Division

JVC/CA/KH/OG/

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

10-5208

FILED
JUL 09 2010
Jim Ruby, Executive Secretary
Environmental Quality Council

