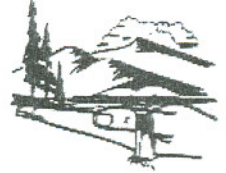


10-5214



# 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

September 7, 2010

CERTIFIED Mail #7007 0710 0000 3817 5901  
Return Receipt Requested

Christine Burtness  
WyGen Investments, Limited Partnership  
P. O. Box 359  
Santa Ynez, CA 93460

**FILED**  
SEP 13 2010  
Jim Ruby, Executive Secretary  
Environmental Quality Council

Dear Ms. Burtness:


Enclosed you will find a Notice of Violation and Order, Docket Number 4730-10, issued under the provisions of W.S. 35-11-701(c). Your company is registered as the owner of the Etna Trading Post, storage tank facility 0-004194.

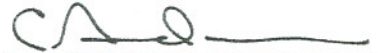
The annual tank fees for 2009 and 2010 have not been paid for this facility, and an operator's annual inspection has not been performed since November 15, 2007.

Please be aware that the attached Notice of Violation contains an Order, detailing what must be done to eliminate and rectify these violations. The Notice orders WyGen Investments, Limited Partnership, to pay the fees and perform an OAI within 90 days of receipt of the Notice of Violation. This order also prohibits the delivery of fuels to the Etna Trading Post.

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

Herschler Building · 122 West 25th Street · Cheyenne, WY 82002 · <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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