



Department of Environmental Quality

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



Matt Mead, Governor

John Corra, Director

January 4, 2011

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FILED

Western United Life Assurance Company
3019 N. Argonne Road
Spokane Valley, WA 99212

JAN 06 2011

**Jim Ruby, Executive Secretary
Environmental Quality Council**

To Whom It May Concern:

Enclosed you will find a Notice of Violation and Order, Docket Number 4788-11, issued under the provisions of W.S. 35-11-701(c). The underground storage tank (UST) located at the Afton Tri-Mart has been in temporarily out of use (TOU) status longer than three years, and a minimum site assessment (MSA) has not been performed at the site. An MSA is required to be performed when a UST has been in TOU status longer than three years.

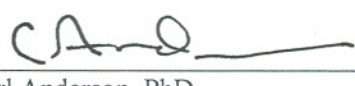
Please be aware that the attached Notice of Violation contains an Order detailing what must be done to eliminate and rectify this violation. When you decide to perform the MSA, or if you decide to remove the tanks, please contact Mr. Sterling Roberts at (307) 335-6953, and he will tell you what needs to be done.

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

