

11-5207

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JAN 11 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
)
Chetan Patel)
1021 Russell Avenue)
Casper, WY 82401)
)

DOCKET NUMBER: 4789-11

NOTICE OF VIOLATION

AND

ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Chetan Patel owns and operates three underground storage tanks (USTs) at the Collins Car Wash, storage tank facility 0-002221, which is located at 841 West Collins, in Casper, Wyoming.
2. Chetan Patel has not paid the 2010 and 2011 annual tank fees for the Collins Car Wash.
3. The DEQ has determined that the following violations of The Storage Tank Act of 2007, have occurred at the Collins Car Wash:

Count 1: Failure to Pay Annual Tank Fees [WS 35-11-1425]. As owner of the USTs, Chetan Patel is in violation of WS 35-11-1425, for failure to pay annual tank fees for 2010.

Count 2: Failure to Pay Annual Tank Fees [WS 35-11-1425]. As owner of the USTs, Chetan Patel is in violation of WS 35-11-1425, for failure to pay annual tank fees for 2011 by January 1, 2011.

4. Any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license, or variance adopted thereunder, is liable for a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the people of Wyoming.
5. 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.

(THIS SECTION INTENTIONALLY BLANK)

FILED

JAN 1 2011

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL-STATE OF WYOMING

WHEREFORE IT IS HEREBY ORDERED THAT:

1. Chetan Patel bring Collins Car Wash back into compliance with The Storage Tank Act of 2007 within 20 days of receipt of this notice. This shall be accomplished by paying the past due tank fees and late fees.


THIS ORDER is final unless, not later than ten (10) days after the date this notice is received, it is appealed by filing a written petition for a hearing before the Environmental Quality Council. If a hearing is requested, the petition shall be mailed to Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition shall be mailed to the 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.

NOTHING IN THIS ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Order be interpreted as being a condition precedent to any other enforcement action.

ORDERED this 7th day of January, 2011.



 John V. Corra
 Director
 Department of Environmental Quality



 Carl Anderson, PhD
 Administrator
 Solid and Hazardous Waste Division

PLEASE DIRECT ALL INQUIRES TO: Oma Gilbreth, Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7097 or (307) 777-5973 FAX for technical matters.

JVC/CA/KH/OG