

11-5211



Department of Environmental Quality

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



Matthew H. Mead, Governor

John Corra, Director

May 17, 2011

CERTIFIED 7007 0710 0000 3817 7271

Jodie Newkirk
Arlington Outpost
I-80 Highway 13 Intersection
HC 64 Box 95
McFadden, WY 82080

FILED

MAY 25 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

Dear Ms. Newkirk:


Enclosed you will find a Notice of Violation and Order, Docket Number 4840-11, issued under the provisions of W.S. 35-11-701(c). Tank fees have not been paid in accordance with W.S. § 35-11-1425. Tank fees have not been paid for 2010 and 2011. Invoices were sent on November 23, 2009, and a late fee notification letter on July 29, 2010. Letters for 2011 fees were sent on November 22, 2010, and a late fee notification letter was sent on March 7, 2011.

A compliance inspection was performed on March 21, 2011, by Oma Gilbreth and Scott Hendrickson. The fees were not current at the time of the inspection, a verbal reminder of the situation was relayed to you and an explanation of the importance of the issue was discussed with you. An inspection report summary was also sent detailing the findings of the inspection, which included the tank fees.

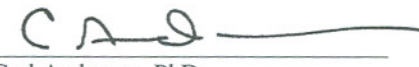
Please be aware that the attached Notice of Violation contains an Order detailing what must be done to eliminate and rectify this violation. This order requires you to pay the fees within thirty (30) days.

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, you must 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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