

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

Monday, August 29, 2011
Certified #7011 0110 0001 7176 5853
Return Receipt Requested

Mr. Ron Huff
107 Wood St.
Lander, WY 82520

Huff Sanitation, Inc.
540 Wind River Ave
Lander, WY 82520

FILED
SEP 12 2011
Jim Ruby, Executive Secretary
Environmental Quality Council

RE: **Issuance of Notice of Violation & Cease & Desist Order**

Dear Mr. Huff:

Enclosed is a Notice of Violation (NOV) with an Order issued to your facility for violation(s) of the Wyoming Environmental Quality Act (Act) and the Wyoming Solid Waste Rules and Regulations (SWRR). On September 9, 2010, DEQ staff inspected the property owned by Huff Sanitation, Inc. located at Highway 789/Lyons Valley Road east of Lander, Wyoming, 42 48'10.56" N 108 41'19.81" W (Facility).

Specifically, the NOV/Order has been issued for the following violation(s):

Count 1: The Act requires persons to obtain a permit before constructing or operating a site that receives solid wastes. [SWRR, Chapter 1, Section 1(f); Wyo. Stat. § 35-11-502(a)] Huff Sanitation, Inc. does not have a permit or one-time authorization to dispose of solid waste (scrap tires) by constructing a dam at the facility. Therefore, Huff Sanitation, Inc. failure to obtain a permit or one-time authorization is a violation of the Act and the SWRR.

Count 2: The Act prohibits causing, threatening, or allowing the discharge of any wastes into the waters of Wyoming without a permit. [Wyo. Stat. § 35-11-301(a)(i)] Constructing a dam with scrap tires threatens the discharge of wastes into the waters of Wyoming and is capable of causing pollution to the waters of the State. Huff Sanitation, Inc. failure to obtain a permit is therefore, a violation of the Act.

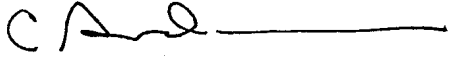
On November 1, 2010, you were sent a letter from DEQ, allowing you until June 30, 2011, to obtain a beneficial use permit, or remove the tires and properly dispose of the tires at a permitted facility. As of this date, a beneficial use permit has not been obtained and the tires remain buried in the pond dam.

The attached NOV and Order contains provisions for the proper removal and disposal of the scrap tires.



If you have any questions regarding this letter or the attached NOV and Order, please feel free to contact Charles Plymale at (307) 335-6951 or Bob Breuer at (307) 473-3454.

Sincerely,

A handwritten signature in black ink, appearing to read 'C Anderson', followed by a horizontal line.

Carl Anderson, Ph.D., P.G., Administrator
Solid and Hazardous Waste Division

Enclosure: NOV & Order

Patrick Troxel, SWP&CA, Lander
Bob Breuer, I&C Program Manager, Casper→Casper File
Charles Plymale, I&C, Lander
AG Office, Cheyenne
Huff Sanitation NOV/Order File, Cheyenne