

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)

Gillette Campbell County Airport)
2000 Airport Road #108)
Gillette, WY 82716)

DOCKET NUMBER: 4871-11

NOTICE OF VIOLATION

AND

ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Gillette Campbell County Airport owns and operates three aboveground storage tanks (ASTs) that are used to sell fuel retail at the Gillette Campbell County Airport. This facility is registered as storage tank facility 0-000722 and is located at 2000 Airport Road, Gillette, Wyoming.
2. On July 12, 2011, personnel from the Department of Environmental Quality conducted a storage tank compliance inspection at the Gillette Campbell County Airport. The inspectors discovered that an Operators Annual Inspection (OAI) had not been performed, the facility did not have a licensed operator, and tank leak detection was not being performed.
3. The DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, have occurred at the Gillette Campbell County Airport:

Count 1: Failure to Submit an Operators Annual Inspection(OAI) [WWQRR, Chapter 17, Section 13(e)]. As the owner of ASTs, Gillette Campbell County Airport is in violation of WWQRR, Chapter 17, Section 13(e), for failure to submit an OAI.

Count 2: Failure to have a Licensed Operator for the Facility [WWQRR, Chapter 17, Section 46(a)]. As the owner of ASTs, Gillette Campbell County Airport is in violation of WWQRR, Chapter 17, Section 46(a), for failure to have a licensed operator.

Count 3: Failure to Perform Tank Leak Detection [WWQRR, Chapter 17, Section 36(a)] As the owner of ASTs, Gillette Campbell County Airport is in violation of WWQRR, Chapter 17, Section 36(a), for failing to perform tank leak detection.

4. This Notice is being sent to the Gillette Campbell County Airport 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.

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ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL-STATE OF WYOMING


WHEREFORE IT IS HEREBY ORDERED THAT:

1. Gillette Campbell County Airport return the facility into compliance with WWQRR, Chapter 17 as described within 60 days of receipt of this NOV.
2. Gillette Campbell County Airport shall:
 - A. Perform an Operators Annual Inspection (OAI) at the Gillette Campbell Airport and Submit it to the Department of Environmental Quality.
 - B. Assign a licensed Class A and B operator to the Gillette Campbell County Airport.
 - C. Perform tank leak detection in accordance with WWQRR, Chapter 17, Section 36(a).

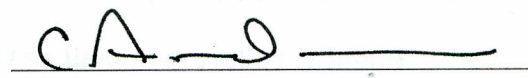
THIS ORDER is final unless, not later than ten (10) days after the date this notice is received, it is appealed by filing a written petition for a hearing before the Environmental Quality Council. If a hearing is requested, the petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, 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 17th day of October, 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.

cc. Campbell County Department of Public Works, 500 South Gillette Avenue Suite 145, Gillette, WY 82716

JVC/CA/KH/OG/SH