



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

September 7, 2012

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FILED

SEP 12 2012

Amanda Yust
WyColo Lodge
P.O. Box 1030
Laramie, WY 82073

Jim Ruby, Executive Secretary
Environmental Quality Council

RE: Notice of Violation and Order, Docket Number 5057-12

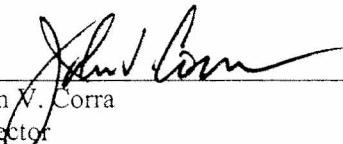
Dear Ms. Yust:

Enclosed you will find a Notice of Violation (NOV) and Order, Docket Number 5057-12, 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. You were provided invoices on November 21, 2011, February 24, 2012, and July 6, 2012.

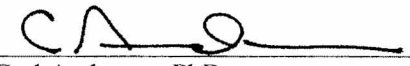
Please be aware that the attached NOV contains an Order detailing what must be done to eliminate and rectify this violation. This order requires you to pay the fees within thirty (30) days. The NOV includes an Order prohibiting the delivery of fuels to one aboveground storage tank located at WyColo Lodge.

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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SEP 12 2012

Jim Ruby, Executive Secretary
Environmental Quality Council

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
)
Amanda Yust)
WyColo Lodge)
P.O. Box 1030)
Laramie, WY 82073)
)

DOCKET NUMBER: NUMBER 5057-12

NOTICE OF VIOLATION

AND

ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Amanda Yust owns the WyColo Lodge, storage tank facility number 0-005129, located at 4039 Highway 239, near Mountain Home, Wyoming. This site has one, 2,000 gallon regulated aboveground storage tank.
2. Amanda Yust has not paid tank fees for 2012 plus associated late fees totaling one hundred and fifty dollars (\$150).
3. The DEQ has determined that Amanda Yust has violated W.S. § 35-11-1425 of the Wyoming Environmental Quality Act:
 - (a) On or before January 1 of each year the owner of a tank shall pay a fee to the department of two hundred dollars (\$200.00) per tank owned, except the owner of an aboveground storage tank subject to this section that holds five thousand (5,000) gallons or less shall pay a fee of fifty dollars (\$50.00) per tank owned.
 - (b) On April 1 of each year the department may assess a late payment fee of one hundred dollars (\$100) per tank or contaminated site against any owner who has not paid the annual fee required pursuant to subsection (a) of this section.
4. This Notice is being sent to Amanda Yust 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