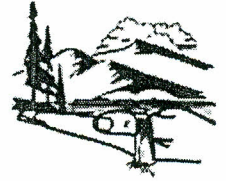




Department of Environmental Quality



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

Matthew H. Mead, Governor

Todd Parfitt, Director

February 11, 2013

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Etca White
P.O. Box 30,000 PMB 413
970 West Broadway
Jackson, WY 83001

FILED

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Jim Ruby, Executive Secretary
Environmental Quality Council


Dear Ms. White:

Enclosed you will find a Notice of Violation (NOV) and Order, Docket Number 5125-13, issued under the provisions of W.S. 35-11-701(c).


Personnel from the Department of Environmental Quality (DEQ) Storage Tank Program conducted an underground storage tank (UST) compliance inspection at the Gunsight Pass Ranch on June 21, 2012. The inspection revealed that the underground storage tank: 1) did not have an overfill prevention device, 2) was not being monitored for leaks, 3) did not have a licensed Class A Storage Tank Operator, and 4) did not have a licensed Class B Storage tank Operator. Since the inspection, the following violations have occurred: 5) an operator's annual inspection was not conducted by November 11, 2012, and 6) the 2013 annual tank fees have not been paid. These are all violations of The Storage Tank Act of 2007 and Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17. The attached Notice of Violation has been issued due to these violations.

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. Please 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, please 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 Todd Parfitt, 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.



Todd Parfitt
Director
Department of Environmental Quality



Carl Anderson, PhD
Administrator
Solid and Hazardous Waste Division

TP/CA/KH/OG

Enclosure: Notice of Violation and Order, Rules of Practice and Procedure

