

Jon Brady, Hearing Examiner
Environmental Quality Council
122 W. 25th Street
Herschler Building, Rm. 1714
Cheyenne, Wyoming 82002

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Docket No. 05-3801

Terri A. Lorenzon, Director
Environmental Quality Council

I am Joe Geringer and I am responding to the letter I received from you dated September 7, 2005, I will try to explain why my family and others stand in opposition to the Wheatland Waste Water Storage and Land Application.

Reasons for opposition.

1. The water that the Town of Wheatland now wants to give to Shepard was given to Eberts in the year 1939. Can you give the exclusive rights to one thing to two different entities?
2. None of the lands that this water was originally given to are included in this project.
3. Evidently this treated water is more hazardous outside the house than raw sewage is inside. The Town of Wheatland has entered into an agreement with Deb and Eric Alden to purchase their property because of the negative impacts this water has already had on the value of their property. But on the other hand had refused to pay for repairs caused by raw sewage blockages to the house of Wildes.
4. David and Germaine Birkle, Lorraine and Darren Allbright live just across the county road from this project. The same negative impacts that were compelling enough to cause the Town of Wheatland to settle with Aldens also impacts Birkles and Allbrights. Their quality of life, lifestyle and value of their property are just as important to them as anyone, but it appears as though they are expected just to live with it. Are there different standards for those who are active in politics and for those of us who are not?
5. Because Shepard has a cattle feeding facility on his property of sufficient size he is required to have a CAFFO permit. Because he does a land application of animal waste he must have a nutrient management plan. This nutrient management plan now determines in part how much irrigation water and treated wastewater can be applied to his lands for crop production. While this plan is on file at the DEQ it was not part of the application. When I asked to see this file I was denied access to it. It required a call from my attorney before I could see anything. I was allowed to see the lease, a map of the project and the rules and regulations pertaining to land application of waste water. I requested to see the nutrient management plan. I was told that under no circumstances was I going to see it. I would have to approximate my own plan. Whenever a private individual or company does business with government it is understood there will be no privacy, no secrets. All

information relevant to this project should have been included in the application

6. Each succeeding generation of humans us more water than the previous. Is the Town of Wheatland addressing the problem of excess effluent or are they merely putting a Band-Aid on a symptom? Does the Town of Wheatland require low water use faucets, showers and toilets in all new construction and remodels?
7. There are conflicts in wording between the project application and the lease between the Town and Shepard. The area where wastewater can be applied in the project application is defined by legal description, in the lease section 5. (D) It states in part "or for irrigation on other lands which the landowner of this easement may be farming". Which way is it?
8. What binds the Town of Wheatland and Shepard to the amount of water that will be applied the DEQ or the lease. Section 5.(B)
9. The Natural Resources Conservation Service has classified all of the soils within the project boundaries: permeability from moderate to moderately rapid and all are well drained. I quote from that survey "This map unit is poorly suited to stock water ponds because of high potential for seepage losses." All of Shepard's sprinkler pits are in these soils. None of these sprinkler pits are lined or sealed. This is an express route to the ground water. I question whether these soils can be managed well enough over the next fifty years under all conditions to prevent impairment to our ground water.
10. The Town of Wheatland and the Wyo. DEQ can not tell us what is or is not in this water. I quote from the Platte County Record Times dated Oct 24,2001 from the legal section from the RECORD OF PROCEEDINGS FOR THE GOVERNING BODY OF THE TOWN OF WHEATLAND, DATED OCTOBER 8, 2001. "Town Engineer, Russ Schamel reported that the odor problem at the lagoon that was discussed at the September Council meeting was addressed by Lou Harmon of the Dept. Of Environmental Quality. Mr. Schamel stated that Mr. Harmon conducted several tests at the lagoon and it was his feeling that the lagoon had been poisoned by an unknown source, possibly a herbicide being dumped into the system." Now the Town wants to apply these unknowns on farmland.
11. The Town of Wheatland maintains a RV sewage dump at Lewis Park that is open to anyone passing through or even local people to use. This is a perfect disposal site for anything anyone wants to get rid of, from potable water to radioactive materials!
12. When Mr. Harmon called me last spring to inform us that the project was approved he stated that because of our concerns ground water contamination from irrigation it was going to be required that irrigation was to be done in such a way as to prevent water from going past the two foot zone. Last spring our soil moisture started out very low, the Wheatland Irrigation District was able to deliver a short irrigation run. The weather changed and we ended up wet. That is when Mr. Harmon called. To satisfy my own curiosity of how wet it was, I took my three foot auger soil probe and at that time my alfalfa field was already wet past three feet. Mr. Harmon also informed Allbrights of the

project approval and to alleviate their fears told Lorraine that standing water would not be allowed in the project area. That was false this summer. At times of the year the odor coming off of the lagoons is very strong. This is an ongoing problem, increased aeration has been used and now the solution is to replace the bacteria in cell one with those from cell three. What and when can we expect a solution? What are all of the standards the Town of Wheatland and Shepard going to be held accountable to? If and when these standards are exceeded is they're going to be a penalty paid, and any remedial action taken?

Water treatment and release is a proven and acceptable means of effluent disposal. Water treatment and release does not pose a threat to anyone. The Town of Wheatland owns sufficient land to build a treatment plant. It does not need to build water storage reservoirs on private land, or rely on private individuals to dispose of its wastes. Every summer of recent history the Town of Wheatland has experience a fresh water shortage, perhaps if water conserving appliances, and fixtures were required, and the Town of Wheatland re-use some of the effluent on the parks and golf course the Town would have to treat very little water, while helping to address their fresh water shortage. In its present location, with water treatment plants and if the Town of Wheatland retains complete control of the water, it would be a win win for Wheatland and it would pose the least risk to us all.

A handwritten signature in cursive script, appearing to read "Le Guzzi". The signature is written in dark ink on a white background.