



Department of Environmental Quality



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

Dave Freudenthal, Governor

John Corra, Director

10-3202

January 22, 2009

CERTIFIED MAIL

Ted Fouts, Owner
Horizon Park, LLC
688 Antelope #61-A
Rock Springs, WY 82901

FILED
JAN 29 2010
Jim Ruby, Executive Secretary
Environmental Quality Council

RE: Notice of Violation and Order Docket Number 4601-09

Dear Mr. Ted Fouts:

Enclosed is a copy of Notice of Violation and Order issued to Horizon Park, LLC for the operation of a distribution system without the supervision of certified personnel, which is a violation of Wyoming Statute 35-11-302 (a)(iv). Mr. Ted Fouts, Owner, is a legal representative of the entity in question.

ANY APPEALS TO THE ENVIRONMENTAL QUALITY COUNCIL FROM THE ATTACHED ORDER MUST BE MADE IN WRITING WITHIN THE TEN (10) DAY LIMIT PRESCRIBED BY WYOMING STATUTE 35-11-701(c). Chapter 1, Section 3 of the enclosed Department of Environmental Quality (DEQ) Rules of Practice and Procedures set forth the requirements for the initiation of appeal proceedings. You are urged to review all of the provisions of the attached Rules of Practice and Procedures as they relate to this action.

To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council; 122 West 25th Street; Herschler Building, 1st Floor West, Room 1714; Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of Environmental Quality; 122 West 25th Street; Herschler Building, 4th Floor West; Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail return receipt requested.

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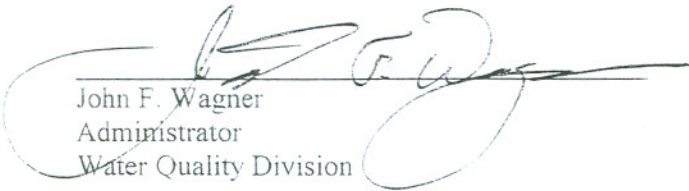
Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 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 777-5973	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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*Ted Fouts, Owner
Horizon Park, LLC
NOV and Order Docket No. 4601-09
January 22, 2010*

If you have any questions or comments concerning this matter, please contact Ms. Kimberly Parker, Operator Certification Program, at (307) 777-6128.



John F. Wagner
Administrator
Water Quality Division

JFW/KSP/rm/10-0065

Enclosure: Notice of Violation and Order
Rules of Practice and Procedure
Operator Designation Forms

cc: Chair, Environmental Quality Council (PDF)
Keith Guille, DEQ Public Information Officer (PDF)
Kimberly Parker, Operator Certification Program (PDF)
Sheri Nolan, Horizon Park, LLC Manager; 688 Antelope #61-A; Rock Springs, WY 82901
Mark Baron, DEQ Southwest District Engineer (PDF)
Horizon Park, LLC file