

HORIZON PARK LLC

688 Antelope Dr. Lot # 61-A
Rock Springs, Wyoming 82901
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FILED

MAR 01 2010

Jim Ruby, Executive Secretary
Environmental Quality Council

February 25, 2010

Chairman Wyoming Environmental Quality Council
122 West 25th Street; Herschler Building, 1st Floor West, Room 1714
Cheyenne, Wyoming 82002

Dear Chairman,

After receiving the letter of compliance from the Department of Environmental Quality Water Quality Division February 25, 2010, the only requirement of the Order yet to be accomplished is for Ms. Paula Koon to obtain the Level 1 certification. The Order already provides the six months for the backup operator to obtain certification. I have enclosed a copy of the letter of compliance for your review.

Therefore, after receiving my Level 1 certification February 18, 2010, I no longer need the extension requested for the Chief Operator. I would like to withdraw my request for the hearing before the Environmental Quality Council regarding the Notice of Violation & Order No. 4601-09.

Sincerely,



Sheri Nolan
Horizon Park LLC Manager



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

February 22, 2010

CERTIFIED MAIL

Ms. Sheri Nolan, Manager
Horizon Park, LLC
688 Antelope #61-A
Rock Springs, WY 82901

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

Dear Ms. Nolan:

Your letter dated February 11, 2010 requests a hearing before the Environmental Quality Council (EQC) regarding Notice of Violation & Order No. 4601-09 issued to Horizon Park, LLC (Horizon Park). That Order requires Horizon Park to:

- 1) retain a Level 1 certified chief operator within 30 days;
- 2) submit an operator designation form for the chief operator within 30 days;
- 3) retain a backup operator within 30 days who must be certified with a Level 1 certification within six months;
- 4) submit an operator designation form for the backup operator within 30 days;
- 5) schedule a facility configuration inspection with the Southwest District Engineer within 30 days.

Your February 11th letter states that Horizon Park:

- has no objection to complying with the Level 1 operator certification requirement, but doing so within 30 days may be problematic;
- has contacted the DEQ Southwest District Engineer to schedule a facility configuration inspection, which is planned to be done in the next 60 to 90 days;
- is willing to forego a hearing if granted a six month extension to secure a Level 1 license for the chief and backup operators.

Since you, as Horizon Park's designated chief operator, have now obtained Level 1 certification; have arranged with the Southwest District Engineer for a facility configuration inspection; and designated Ms. Paula Koon as Horizon Park's backup operator; the only requirement of the Order yet to be accomplished is for Ms. Koon to obtain Level 1 certification. The Order (item #3) already provides six months from February 5, 2010 (the date your February 11th letter says you received the Order) for Horizon Park's designated backup operator to obtain Level 1 certification, which should address the request in your letter for a six month extension for Ms. Koon to secure Level 1 certification.

Upon completion of the facility configuration inspection and confirmation that Ms. Koon has obtained Level 1 certification by August 5, 2010, DEQ will issue Horizon Park a Notice of Compliance with Order No. 4601-09.

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

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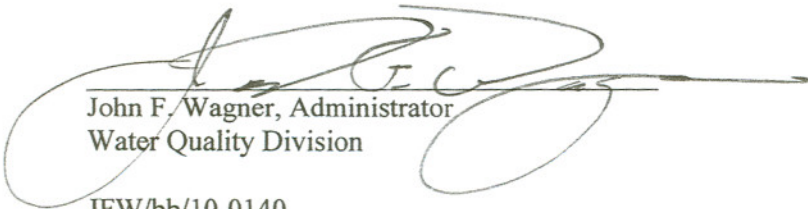
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Ms. Sheri Nolan
February 22, 2010
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If you have any questions or comments concerning this matter, please contact Ms. Kimberly Parker,
Operator Certification Program, at (307) 777-6128.



John F. Wagner, Administrator
Water Quality Division

JFW/bb/10-0140

cc: Mr. Ted Fouts; 688 Antelope #61-A; Rock Springs, WY 82901
Kimberly Parker, Operator Certification Program (PDF)
Mark Baron, DEQ Southwest District Engineer (PDF)
Horizon Park, LLC file