

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

APR 25 2011

Jim Ruby, Executive Secretary  
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF )  
VIOLATIONS AND ORDER ISSUED TO: )

DOCKET No. 10-3207A

James J. Pace )  
314 Pine Street )  
Douglas, Wyoming 82633 )

And )

Peter J. Moore and Bonnie A. Smith-Moore )  
130 Highway 59 )  
Douglas, Wyoming 82633 )

***PRE-HEARING MEMORANDUM OF  
PETER J. MOORE AND BONNIE SMITH MOORE***

COME NOW Peter J. Moore and Bonnie Smith-Moore, "the Moores," and provide this pre-hearing memorandum pursuant to the scheduling ordered entered herein on July 8, 2010.

***A. WITNESSES***

The Petitioners may call the following witnesses.

1. Peter J. Moore, Grasslands Mobile Home Park, 130 Highway 59, Douglas, Wyoming, 82633, 307-358-4467. Mr. Moore, with his wife Bonnie Smith-Moore, is a Petitioner in this case and may be contacted through his attorney of record in this matter Harry G. Bondi. Mr. Moore is an owner of the mobile home park purchased under a contract for deed from Jim and Martha Pace, also Petitioners in this matter, may testify to all matters in issue including the terms and conditions of the contract for deed with James J. Pace and Martha Pace, may testify that he has lived on the mobile home park since purchase from Mr. and Mrs. Pace and that at the time of purchase the sellers represented to Mr. and Mrs. Moore that the mobile home park was in compliance with all regulatory requirements including regulations relating to the

water and sewer. Mr. Moore may also testify that since receiving the *Notice of Violation* and *Order* from the Environmental Quality Council dated March 11, 2010, the Moores have taken all actions to test the water provided to the mobile home park and have provided those test results to the Department of Environmental Quality and the United States Environmental Protection Agency. Those tests have indicated that the water from the wells was safe for drinking. It was not until the United States Environmental Protection Agency advised them in 2011, that there was a high uranium content in the water that the Moores began supplying bottled water to the residents.

Since that time the Moores have provided all residents of Grasslands Mobile Home Park bottled water purchased for users of the park by the Moores. He may further testify that he and his wife have been advised that such procedure satisfies the United States Environmental Protection Agency with respect to Safe Water Drinking Act.

The Moores can also testify that they have taken all actions requested of them by the United States Environmental Protection Agency and that they have not been in violation of the agency's rules and regulations with respect to Grasslands Mobile Home Park.

2. Bonnie Smith-Moore, Grasslands Mobile Home Park, 130 Highway 59, Douglas, Wyoming, 82633, 307-359-8076. Bonnie Moore will testify substantially as in the testimony of her husband, Peter J. Moore, as set forth above. She may also testify that she has taken training to become certified as an operator and tester of water at Grasslands Mobile Home Park, and may testify as to the steps that she has taken to see that the Grasslands Mobile Home Park is in compliance with the state and federal requirements relating to the mobile home park.

3. Mark Court, Wyoming Rural Water, Douglas, Wyoming, 307-262-3974. Mr. Court may testify to the actions he has taken as well as the actions he is familiar that the Moores have taken to insure that their mobile home park provides safe drinking water and a safe septic system.

4. The Moores reserve the right to list additional witnesses as they become known and, list all witnesses listed by the Department of Environmental Quality.

5. The Moores reserve the right to call rebuttal witnesses as merited by the proceedings and evidence.

## **B. EXHIBITS**

The Moores list the following exhibits which may be offered in evidence at the hearing herein.

1. Analytical Summary Report 12-10-10 37pp.  
Energy Laboratories, Casper
2. Casper-Natrona County Health Department 09-21-1983 4pp.  
On-Site Review
3. Laboratory Analytical Report 12-14-09 4pp.  
Energy Laboratories, Casper
4. Analytical Summary Report 05-21-11 4pp.  
Energy Laboratories, Casper
- 4A. Analytical Summary Report 04-22-10 5pp.  
Energy Laboratories, Casper
5. Analytical Summary Report 03-29-10 5pp.  
Energy Laboratories, Casper
6. Analytical Summary Report 06-25-10 4pp.  
Energy Laboratories, Casper
7. Analytical Summary Report 08-19-10 4pp.  
Energy Laboratories, Casper
8. Analytical Summary Report 07-27-10 4pp.  
Energy Laboratories, Casper
9. Invoice, Jordan Services 08-27-10 1p.
10. Invoices, Jordan Services 12-08-09  
01-31-10 2pp.
11. Analytical Summary Report 09-24-10 4pp.  
Energy Laboratories, Casper
12. Analytical Summary Report 10-25-10 4pp.  
Energy Laboratories, Casper



13. Analytical Summary Report 11-10-10 3pp.  
Energy Laboratories, Casper
14. Analytical Summary Report 11-29-10 3pp.  
Energy Laboratories, Casper
15. Analytical Summary Report 12-29-10 4pp.  
Energy Laboratories, Casper
16. Analytical Summary Report 01-21-11 4pp.  
Energy Laboratories, Casper
17. Analytical Summary Report 01-24-11 4pp.  
Energy Laboratories, Casper
18. Analytical Summary Report 02-24-11 2pp.  
Energy Laboratories, Casper
19. Analytical Summary Report 03-18-11 2pp.  
Energy Laboratories, Casper
20. Analytical Summary Report 03-30-11 2pp.  
Energy Laboratories, Casper
21. Waterworks Industries, Inc. packing slip 1p.  
invoice, for well caps 02-16-11
22. Receipt, Safeway, 03-02-11 1p.


**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 21 day of APRIL, 2011, a true and correct copy of the foregoing was served by placing same in the U.S. Mail, postage prepaid, addressed to the following:

Environmental Quality Council  
122 West 25th, Room 1714  
Herschler Building  
Cheyenne, WY 82002

Mike Barrash  
Senior Assistant Attorney General  
Wyoming Attorney General's Office  
123 Capitol Building  
Cheyenne, WY 82002

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Harry G. Bondi