



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

CERTIFIED MAIL

January 14, 2013

John E. Garner
Farnsworth Group
2310 E. Prospect Road, Suite B
Fort Collins, CO 80525

FILED

JAN 15 2013

Jim Ruby, Executive Secretary
Environmental Quality Council

**RE: Notice of Violation and Order, Docket Number 5107-13
Modification of Water and Sewer Systems Without a Permit**

Dear Mr. Garner:

Attached is a Notice of Violation and Order, Docket Number **5107-13**, for construction modifications to water distribution and sanitary sewer collection mains without an authorized permit in violation of Wyoming Statute 35-11-301(a)(iii) and 35-11-301(a)(v).

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 Department of Environmental Quality Rules of Practice and Procedure (<http://soswy.state.wy.us/RULES/5675.pdf>) sets forth the requirements for the initiation of appeal proceedings.

To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first petition shall be mailed 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 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

John F. Wagner
Administrator
Water Quality Division

TP/JFW/RRC/SWT/bb/13-0033

Enclosure: Notice of Violation and Order 5107-13

xc: Seth Tourney, WWW, Cheyenne
IPS
EQC
Keith Guille, DEQ Public Information Officer

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

ADMIN/OUTREACH (307) 777-7758 FAX 777 7299	ABANDONED MINES (307) 777-6145 FAX 777 6469	AIR QUALITY (307) 777-7391 FAX 777 5646	INDUSTRIAL SITING (307) 777-7369 FAX 777 5073	LAND QUALITY (307) 777-7756 FAX 777 5664	SOLID & HAZ. WASTE (307) 777-7752 FAX 777 5073	WATER QUALITY (307) 777-7781 FAX 777 5073
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BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

FILED

JAN 15 2013

*Jim Ruby, Executive Secretary
Environmental Quality Council*

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

John E. Garner)
Farnsworth Group)
2310 E. Prospect Road, Suite B)
Fort Collins, CO 80525)

DOCKET NUMBER 5107-13

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. The City of Laramie operates and maintains water distribution and sanitary sewer collection mains throughout the City of Laramie. The City of Laramie has acquired funding through a specific purpose tax to perform several modifications and upgrades to these systems. These modifications and upgrades are being managed through several phases and schedules. The Farnsworth Group was contracted by the City of Laramie to obtain all construction permits and provide project management and design services for the City of Laramie on the SPT12G – Specific Purpose Tax Phase 1 Schedule 2 Project.
2. The Farnsworth Group through the City of Laramie constructed the SPT12G – Specific Purpose Tax Phase 1 Schedule 2 Project, without an authorized permit in violation of Wyoming Statute 35-11-301(a)(iii) and 35-11-301 (a)(v).
3. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the director of the Department of Environmental Quality (DEQ) shall cause a written notice to be issued and served upon the person alleged to be responsible.

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING


WHEREFORE IT IS HEREBY ORDERED THAT:

1. Within 30 days from the receipt of this Notice of Violation, the Farnsworth Group shall submit a Permit to Construct Application for the SPT12G project. The application shall include three copies of construction plans, design reports, and specifications signed and sealed by a Wyoming registered professional engineer.
2. Within 90 days from the receipt of this Notice of Violation, the Farnsworth Group Municipal Pipeline Group in the Fort Collins, Colorado, office, which consists of John E. Garner, J.C. Cundall, and Rick Pickard, shall attend a training session instructed by the Southeast District Engineer from the Department of Environmental Quality / Water Quality Division. This training session shall be conducted at the City of Laramie facilities.

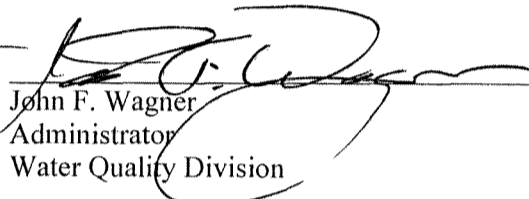
This ORDER is final unless, no later than ten (10) days after the date this notice is received; it is appealed by filing two written requests for a hearing before the Environmental Quality Council. If a hearing is requested, the first petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of the Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

NOTHING IN THIS NOTICE OF VIOLATION (NOV) AND ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV AND ORDER be interpreted as being a condition precedent to any other enforcement action.

Ordered this 15th day of January, 2013.



Todd Parfitt
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Seth Tourney, Southeast District Engineer, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-7088.

TP/JFW/RRC/SWT/bb/13-0033

cc: Southeast District Engineer
IPS
EQC
Keith Guille, DEQ Public Information Office