

FILED

MAY 21 2013

BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY, Executive Secretary
Environmental Quality Council

STATE OF WYOMING

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

**Laurence J. Hulm
Old West Cabins
PO Box 2251
Jackson, WY 83001**

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DOCKET NUMBER 5154-13

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

- Old West Cabins (OWC)** hereafter referred to as the Permittee, is the owner and operator of a Class V 5E3 domestic waste disposal facility (large scale septic system) located in Section 27, Township 40 North, Range 116 West, Teton County, Wyoming. The owner obtained permit coverage for the injection of 6,000 gallons per day (maximum) of domestic waste into the Snake River alluvium on November 1, 2005 for the following well:

Permit	Facility Number	Injection Wells
UIC 05-427	WYS-039-102	Septic System

- OWC** was issued Letters of Violation on May 30, 2012 and December 19, 2012 for failure to adhere to the monitoring and reporting requirements of UIC Permit UIC 05-427.
- OWC** has not complied with the May 30, 2012 or the December 19, 2012 Letters of Violation. Required semi-annual monitor reports have not been submitted for this facility for seven (7) years.
- OWC** is in violation of Underground Injection Control Individual Permit UIC 05-427 Section H (ENVIRONMENTAL MONITORING PROGRAM FOR GROUNDWATERS OF THE STATE), Condition #3, Section I (REQUIREMENTS FOR MONITORING THE DISCHARGE), Section K (RECORDS AND REPORTS), and Section N (DUTIES OF THE PERMITTEE) for failure to adhere to the monitoring and reporting requirements of the permit. No monitor reports for this facility have been received by the UIC Program for seven (7) years.
- 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 DEQ shall cause a written notice to be issued and served on the person alleged to be responsible.

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING

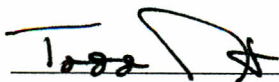
WHEREFORE IT IS HEREBY ORDERED THAT:

1. Within thirty (30) days of receipt of this Notice of Violation, OWC will submit all delinquent reports and associated laboratory reports from January 1, 2012 through March 31, 2013 for DEQ review and approval.
2. Within thirty (30) days of receipt of this Notice of Violation, OWC will provide a complete explanation describing why semi-annual monitor reports were not submitted since December, 2006.
3. Within thirty (30) days of receipt of this Notice of Violation, OWC will provide a plan of action, subject to Underground Injection Control Program staff approval, to ensure timely submission of monitoring report data in the future.
4. Within sixty (60) days from the receipt of this Notice of Violation, OWC will arrange for inspection of this facility by DEQ personnel.

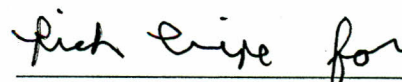
This ORDER is final unless, not later than ten (10) days after the date this notice is received; it is appealed by filing two written petitions for a hearing before the Environmental Quality Council. If a hearing is requested, the first petition shall be mailed to: Chairman, Wyoming Environmental Quality Council, Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming, 82002. The second petition shall be mailed to: Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent via certified mail, return receipt requested.

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

Ordered this 21st day of May, 2013



Todd Parfitt
Director
Department of Environmental Quality



Kevin Frederick
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kathy Shreve, Environmental Program Principal, Wyoming DEQ/WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-6682.

cc: Wendy Cheung, EPA Region 8
Kevin Frederick, WDEQ
John Passehl, WDEQ
Kathy Shreve, WDEQ
NOV Docket **5154-13**
Environmental Quality Council
Keith Guille, DEQ Public Information Office (PDF)