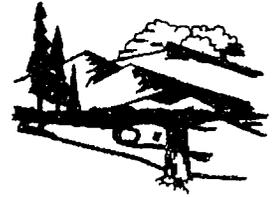




Department of Environmental Quality



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

January 29, 2008

Mr. Eugene Corson
Owner/Operator
Valley Recycling
PO BOX 44
Afton, WY 83110

RE: Notice of Violation

Dear Mr. Corson:

Enclosed is a copy of a Notice of Violation issued to Valley Recycling for burning a large house trailer located at the salvage yard owned and operated by Valley Recycling without a permit.

As the Department and this Division consider the failure to comply with open burning requirements to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Ms. Karen Godman, Air Quality Compliance Program Principal, at 307-777-8601 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Ms. Karen Godman.

Sincerely,


David A. Finley
Administrator
Air Quality Division

cc: Bob Gill
Nancy Vehr
Keith Guille
Greg Meeker



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION)
ISSUED TO VALLEY RECYCLING,)
MR. EUGENE CORSON, OWNER,)
PO BOX 44,)
AFTON, WYOMING 83110)

DOCKET NO.
4509-08

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found Valley Recycling to be in violation of W.S. 35-11-201 of the Wyoming Environmental Quality Act and Chapter 10, Section 2 of the Wyoming Air Quality Standards and Regulations.

2. W.S. 35-11-201 states, "No person shall cause, threaten or allow the discharge or emission of any air contaminant in any form so as to cause pollution which violates rules, regulations and standards adopted by the Council."

3. Chapter 10, Section 2(f) states, "No person or organization shall conduct or cause or permit open burning for the disposal of trade wastes, for a salvage operation, for the destruction of fire hazards if so designated by a jurisdictional fire authority, or for fire fighter training, except when it can be shown by a person or organization that such open burning is absolutely necessary and in the public interest. Any person or organization intending to engage in such open burning shall file a request to do so with the Division..." Subsection (f) allows open burning in instances where it can be shown to be absolutely necessary and in the public interest. Such instances of open burning require approval by the Air Quality Division.

4. On December 12, 2007, Mr. Greg Meeker, Air Quality Division District Engineer, received a complaint regarding the burning of a large house trailer at a salvage yard owned and operated by Valley Recycling. Upon contact with the Sheriff's Department, it was reported that officers responded to a fire at Corson's salvage yard on December 11, 2007, where a large trailer house was burning and producing a very large fire and a high volume of smoke which was listed in the officer's report. Prior to this event, Mr. Meeker sent Mr. Eugene Corson a copy of the Wyoming Air Quality Regulation's, Chapter 10, Smoke Management on November 5, 2007, further guidance was provided in a phone conversation on December 4, 2007 and again on December 6, 2007 regarding open burning requirements. No permit or communication regarding this open burning of the trailer house was initiated by Mr. Corson to the Division.

5. Said violation consists of open burning of waste in violation of W.S. 35-11-201 of the Environmental Quality and Chapter 10, Section 2 of the Wyoming Air Quality Standards and Regulations.

6. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental Quality Act] ... is subject to a penalty not to exceed ten thousand dollars (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction.

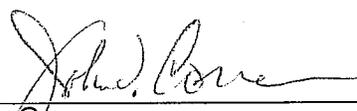
Valley Recycling
Notice of Violation
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7. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

DATED this 4 day of Feb. , 2008.



David A. Finley
Administrator
Air Quality Division



John Corra
Director
Department of Environmental Quality

Please direct all inquiries to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)