



# 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 25, 2009

Mr. T.R. (Tom) Reiman, President  
Reiman Corporation, Inc.  
2400 West College Drive  
Cheyenne, WY 82007

RE: Notice of Violation

Dear Mr. Reiman:

Enclosed you will find a Notice of Violation (NOV) issued to Reiman Corporation by the Department of Environmental Quality, Air Quality Division, for the failure to: 1) thoroughly inspect the Grier Furniture building for the presence of asbestos prior to commencement of the renovation, and 2) provide prior written notification of a renovation project to the Administrator. These are violations of Chapter 3, Section 8(i)(i) and Chapter 3, Section 8(i)(ii) of the Wyoming Air Quality Standards and Regulations.

As the Department and this Division consider the failure to comply with asbestos requirements to be a serious matter, I am considering recommending that 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 issue 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) working days after receipt of this letter.

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

Sincerely,

David A. Finley  
Administrator  
Air Quality Division

cc: Mr. Robert Gill  
Ms. Linda Dewitt  
Ms. Nancy Vehr  
Mr. Keith Guille



**BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION  
ISSUED TO MR. T.R. (TOM) REIMAN, PRESIDENT/CEO  
REIMAN CORPORATION,  
2400 W. COLLEGE DR. CHEYENNE, WY 82007**

)  
) DOCKET NO. 4439-09  
)  
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**NOTICE OF VIOLATION**

**NOTICE IS HEREBY GIVEN THAT:**

1. The Department of Environmental Quality, Division of Air Quality has found Reiman Corporation (Reiman) to be in violation of W.S. 35-11-201 of the Wyoming Environmental Quality Act and Chapter 3, Section 8 of the Wyoming Air Quality Standards and Regulations as a result of the renovation of the Grier Furniture building located at 1601 Central Avenue in Cheyenne, Wyoming.

2. W.S. 35-11-201 of the Wyoming Environmental Quality Act 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 3, Section 8 of the Wyoming Air Quality Standards and Regulations establishes asbestos emission standards for demolition, renovation, manufacturing, spraying and fabricating that apply to owners and operators of facilities where asbestos renovation/demolition activities are taking place.

4. On January 26, 2009, Ms. Linda Dewitt, Air Quality Asbestos Coordinator, conducted an inspection of the renovation of the Grier Furniture building in response to a complaint received by the Air Quality Division. During the inspection, Ms. Dewitt observed employees actively removing pegboard from walls and noted that fiberboard ceiling tiles had been removed. It was also noted that carpet in the basement had been removed and floor tile beneath was suspect material based on age and appearance. Ms. Dewitt requested the written notice of intention to demolish or renovate and also the asbestos inspection for the building. Discussion with the project foreman, Mr. Dan Kaiser, and review of the Air Quality Division files showed that neither the inspection nor notice of intent to renovate had been completed.

5. Chapter 3, Section 8(i)(i) of the Wyoming Air Quality Standards and Regulations states, "To determine which requirements of paragraphs (i)(i), (i)(ii), and (i)(iii) apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM..." Based on the discussion with the project foreman, Mr. Dan Kaiser, an inspection to determine the presence of asbestos was not conducted prior to renovation activities at the Grier Furniture building.

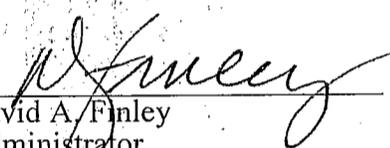
6. Chapter 3, Section 8(i)(ii) of the Wyoming Air Quality Standards and Regulations states, "Each owner or operator of a demolition or renovation activity to which this section applies shall: (A) Provide the Administrator with written notice of the intention to demolish or renovate." Further requirements in Chapter 3, Section 8 (i)(ii) require the notification at least ten working days prior to the start date. Based on the discussion with the project foreman, Mr. Dan Kaiser, and a review of the Air Quality Division's records, the Air Quality Division did not receive notification of the renovation activities at the Grier Furniture building.

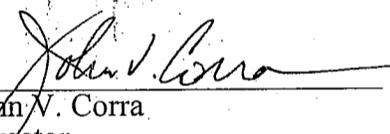
7. Said violations consist of: 1) the failure to thoroughly inspect the Grier Furniture building for the presence of asbestos prior to commencement of the renovation and 2) the failure to provide prior written notification of a renovation project to the Administrator. These are violations of Chapter 3, Section 8(i)(i) and Chapter 3, Section 8(i)(ii) of the Wyoming Air Quality Standards and Regulations.

8. 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.

9. 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 3rd day of March, 2009

  
David A. Finley  
Administrator  
Air Quality Division

  
John V. 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.)