



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

John Corra, Director

February 29, 2012

Mr. Steven Colton
Wells Fargo Bank
One S Broad Street, 22nd Floor
Philadelphia, PA 19107

Re: Notice of Violation

Dear Mr. Colton,

Enclosed you will find a Notice of Violation (NOV) issued to the Wells Fargo Bank by the Department of Environmental Quality, Air Quality Division for the failure to comply with Chapter 3, Section 8 of the Wyoming Air Quality Standards and Regulations in the renovation of Wells Fargo Bank at 1701 Capitol Avenue in Cheyenne, Wyoming.

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) days after receipt of this letter.

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

Sincerely,

Steven A. Dietrich
Administrator
Air Quality Division

cc: Glenn Spangler
Linda Dewitt
Nancy Vehr
Bob Gill
Keith Guille



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

**IN THE MATTER OF THE NOTICE OF VIOLATION)
ISSUED TO WELLS FARGO BANK,) DOCKET NO. 4965-12
MR. STEVEN COLTON,)
VP ENVIRONMENTAL MANAGEMENT)
ONE S BROAD STREET, 22ND FLOOR)
PHILADELPHIA, PENNSYLVANIA 19107)**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1) The Department of Environmental Quality, Division of Air Quality has found Wells Fargo Bank to be in violation of Chapter 3, Section 8 of the Wyoming Air Quality Standards and Regulations as a result of the renovation of the Wells Fargo Bank located at 1701 Capitol Avenue, Cheyenne, Wyoming.

2) 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 renovation/demolition activities are taking place.

3) On November 22, 2011, Ms. Linda Dewitt, Asbestos Program Coordinator, conducted a complaint inspection of the renovation of the third floor of the Wells Fargo Bank located, 1701 Capitol Avenue, Cheyenne, Wyoming. While conducting the inspection, Ms. Dewitt noted approximately 144 square feet of 9"X 9" suspect floor tile had been disturbed and broken. Further information showed that Wells Fargo Bank hired Bill Staab Sales, Inc. to remove the carpet on the third floor. This project was not slated to remove floor tile, however when the carpet was removed tile and mastic material underneath became broken and came up with the carpet material. A sample of the floor tile was collected and analyzed. The floor tile was found to contain 15% chrysotile asbestos. Information provided by Wells Fargo Bank on January 23, 2012 showed an Asbestos Survey had been conducted on three different patterns of 9" floor tile which were found to contain 3%-10% chrysotile asbestos.

4) 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 intention to demolish or renovate." Further requirements in Chapter 3, Section 8(i)(ii) require the notification to be provided to the Division at least ten working days prior to the start date. Based on a review of the Air Quality Division's records, notification was not provided prior to the renovation of this facility.

5) Said violation consists of failing to provide prior written notification of a demolition/renovation project to the Administrator. This is violation of Chapter 3, Section 8 of the Wyoming Air Quality Standards and Regulations.

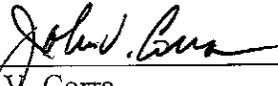
6) Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of (the Environmental Quality Act)... or any rule, regulation, standard or permit adopted pursuant to those provision, or who violates any determination or order of the council pursuant to Article 2 of (the Environmental Quality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

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 29th day of FEBRUARY, 2012.



Steven A. Dietrich
Administrator
Air Quality Division



John V. Corra
Director
Department of Environmental Quality

Please direct all inquiries to Steven A. Dietrich, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor, 122 West 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307-777-3746)