



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

October 11, 2012

Ms. Jennifer Merrill
President
Merrill, Inc.
PO BOX 20519
Cheyenne, WY 82003

RE: Notice of Violation

Dear Ms. Merrill:

Enclosed you will find a Notice of Violation (NOV) issued to Merrill, Inc. by the Department of Environmental Quality, Air Quality Division, for the failure to: 1) inspect the facility for asbestos containing materials prior to the start of demolition and 2) provide prior written notification of a demolition/renovation project to the Administrator as required. These are violations of Chapter 3, Section 8 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,

Steven A. Dietrich
Administrator
Air Quality Division

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



notification of a demolition/renovation project to the Administrator. These are violations of Chapter 3, Section 8 of the Wyoming Air Quality Standards and Regulations.

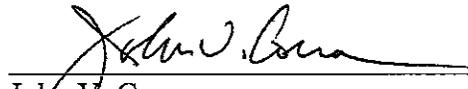
8) Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of (the Environmental Quality Act)... or any rule, regulation, standard or permit adopted pursuant to those provision, or who violates any determination or order of the council pursuant to Article 2 of (the Environmental Quality 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.

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 15th day of OCTOBER, 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)