

BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO: )  
 )  
Roger Ball Annuity Trust Number 1 )  
2235 East 25<sup>TH</sup> Street )  
Idaho Falls, ID 83404 )           DOCKET NUMBER 3872-06  
 )

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Roger Ball Annuity Trust Number 1 owns and operates underground storage tank (UST) facility number 0-003569. The facility is known as Wrangler Petroleum and is located at 580 West Broadway, Jackson, Wyoming. This facility has five steel USTs that were installed in 1990 with pressurized fiberglass reinforced plastic lines.

Annual line leak detection documentation for this facility was received on April 6, 2006, for tests conducted on February 13, 2006. Included in this documentation were passing results for line tightness tests for the five USTs and passing results for line leak detector function tests for only four of the USTs. A discussion with the individual who did the testing revealed that the fifth UST (referred to here as UST #5) has a pressurized crossover line to another UST, but the line does not have a leak detection device as required on pressurized lines.

2. Roger Ball Annuity Trust Number 1 is not providing line leak detection on the pressurized line associated with UST #5.
3. Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 14(g)(i), states: "Pressurized piping systems shall: (B) Be equipped with an automatic line leak detector in accordance with the following: Methods which alert the owner and/or operator to the presence of a leak by restricting or shutting off the flow of regulated substances through piping or triggering an audible or visual alarm, may be used only if they detect leaks of three (3) gallons per hour at ten (10) pounds per square inch line pressure within one (1) hour."
4. By failing to provide line leak detection on a pressurized line, Roger Ball Annuity Trust Number 1 has violated WWQRR, Chapter 17, Section 14(g)(i)(B).
5. 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 the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

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

Signed this \_\_\_\_\_ day of April, 2006.

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John V. Corra  
Director  
Department of Environmental Quality

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LeRoy C. Feusner, PE, BCEE  
Administrator  
Solid and Hazardous Waste Management Division

PLEASE DIRECT ALL INQUIRES TO: Robert Lucht, P.E. & P.G. Storage UST Program  
Principal at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7095 or (307) 777-5973 FAX for technical matters.