

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL**

STATE OF WYOMING

**IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:**

**JIM HEDGES, CHAIRMAN
FREMONT COUNTY SWDD, LITTLE SAND
DRAW RIVERTON #2 (10.195)) DOCKET NO.: 3992-06
P.O. BOX 1400, LANDER, WY 82520**

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

On April 25, 2006, Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division inspector, Mr. Charles Plymale, conducted an inspection of the Little Sand Draw Landfill in Riverton WY, for the purpose of reevaluating compliance with the Wyoming Solid Waste Management Rules and Regulations (SWRR). The facility was also inspected on the following dates: October 26, 2000; March 28, 2002; April 16, 2002; June 13, 2003; November 24, 2003; July 22, 2004; September 15, 2004; February 11, 2005 and April 25, 2006.

As a result of the April 25, 2006 inspection and the previous inspections, the following violations of the SWRR were observed:

1. The following required records are not being maintained onsite with the appropriate time/dates: petroleum-contaminated soils (PCS) management areas, PCS annual report, microbial population densities adjustment, soil pH, moisture content, soil temperature, nutrient concentration, soil texture, and analytical test results. [SWRR, Chapter 8, Section 5(d)(iv)]
2. The facility has not adequately restricted access to the facility by fences around the facility and the facility has not been locked at the end of each day. [SWRR, Chapter 2, Section 4(b), 5(d)] The access is not controlled for the PCS treatment facility. The gates are left open and the fencing does not meet the requirements in the permit.



3. The facility has not adequately controlled run-off to prevent ponding and surface water contact with wastes. [SWRR, Chapter 2, Section 4(i), 5(u)] The facility does not keep erosion under control in the waste area located northwest of the PCS treatment area.

4. The facility has not taken adequate measures to control windblown litter on the site. [SWRR, Chapter 2, Section 4(n), 5(l)] Litter has accumulated on and offsite and there are culverts plugged and rendered to be ineffective, caused by litter accumulations. This same violation was noted during the following inspections: October 26, 2000, March 28, 2002, April 16, 2002, June 13, 2002, October 24, 2003, July 22, 2004, September 15, 2004, October 11, 2005, and April 25, 2006.

5. Cover for the landfill has not been placed according to the frequency and application requirements. [SWRR, Chapter 2, Section 5(q)] The landfill is required to be covered daily.

6. The operator has not maintained adequate records for wastes sold and/or salvaged from the landfill. [SWRR, Chapter 2, Section 5(y)(i)(D)] No records are being kept onsite for wastes sold or salvaged.

7. The operator does not maintain adequate records of methane analysis results. [SWRR, Chapter 2, Section 5(y)(ii)(E)] No records for methane analysis are being kept onsite.

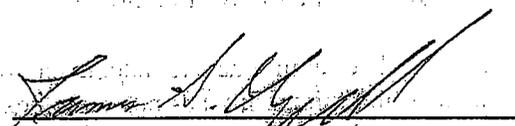
8. The landfill operator does not maintain the required groundwater monitoring records either onsite or an approved site location. [SWRR, Chapter 2, Section 5(y)(ii)(F)]

ANY PERSON who violates any provision of the Environmental Quality Act or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and

THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 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.

Signed this 11th day of December, 2006.


LeRoy C. Feusner, P.E., BCEE
Administrator
Solid & Hazardous Waste Division


John V. Corra
Director
Dept. of Environmental Quality