



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

Wednesday, May 9, 2007

Certified #: 7005 1820 0005 1474 3650
Return Receipt Requested

Carol Brady
Owner
Brady Rentals, LLC
P.O. Box 1417
Gillette, WY 82716

RE: **Issuance of Notice of Violation (NOV)**

Dear Ms. Brady:

Enclosed is a Notice of Violation (NOV) issued to your facility for violations of the Wyoming State Hazardous Waste Rules and Regulations (HWRR). Specifically, the NOV has been issued for the following violations:

Count 1. The facility does not have a current permit or One-Time Authorization (OTA) to manage wastes at this location. [SWRR, Chapter 1, Section 1(f); Section 5(a)]. Brady Rentals, LLC, was disposing and burning of solid waste materials in a pit located on their property at 1758 North Highway 14/16, Gillette, Wyoming. The material in the pit consisted of metal, plastic piping, wood and paper, insulation and other miscellaneous materials from the mobile home business. Chapter 1, Section 1(e)(i) of the SWRR, defines, "solid waste" as garbage, and other discarded solid materials, materials, including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but, unless disposed of at a solid waste management facility, does not include:

Solids or dissolved material in domestic sewerage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants;

Liquids, solids, sludges or dissolved constituents which are collected or separated in process units for recycling, recovery or reuse including the recovery of energy, within a continuous or batch manufacturing or refining process; or



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ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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Agricultural materials which are recycled in the production of agricultural commodities.

The April 30, 2007, inspection revealed that Brady Rentals LLC, was managing solid wastes without a permit or a one-time or emergency authorization in violation of the Wyoming SWRR. On April 15, 1998, Brady's Mobile Homes (P.O. Box 1417), was issued a Letter of Violation (LOV) for operating a previous solid waste disposal site without the required solid waste permit.

It is recognized that Brady Rentals has resolved these violations after they were brought to your attention. Due to Brady Rental's quick and timely response to resolve the concerns, the department is deferring action to seek penalties for this specific matter, contingent upon future compliance.

If you have any questions regarding the attached NOV, please feel free to contact Tim Link at (307) 777-7164 or Bob Breuer at (307) 473-3454.

Sincerely,



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

Enclosure: NOV

C: Bob Breuer, I&C Program Manager, WDEQ/SHWD Casper Office, Casper
Mike Barrash, Senior Assistant Attorney General
Tim Link, I&C, WDEQ/SHWD Cheyenne Office, Cheyenne
Brady Rentals LLC File

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL**

STATE OF WYOMING

IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:

CAROL BRADY, OWNER)
BRADY RENTALS, LLC)
1758 NORTH HIGHWAY 14/16) DOCKET NO.: 4063-07
P.O. BOX 1417)
GILLETTE WY 82717)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. On April 30, 2007, Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division, inspector, Mr. Tim Link (Environmental Scientist I), conducted a complaint inspection of illegal dumping and burning at 1758 North Highway 14/16 in Gillette, WY for the purpose of evaluating compliance with the Wyoming Solid Waste Rules and Regulations (SWRR).

2. The inspection revealed the following violation of the Wyoming Solid Waste Rules and Regulations:

- a. **Count 1: The facility does not have a current permit or One-Time Authorization (OTA) to manage wastes at this location. [SWRR, Chapter 1, Section 1(f); Section 5(a)].** Brady Rentals, LLC, was disposing and burning of solid waste materials in a pit located on their property at 1758 North Highway 14/16, Gillette, Wyoming. The material in the pit consisted of metal, plastic piping, wood and paper, insulation and other miscellaneous materials from the mobile home business. Chapter 1, Section 1(e)(i) of the SWRR, defines, "solid waste" as garbage, and other discarded solid materials, materials, including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but, unless disposed of at a solid waste management facility, does not include:

Solids or dissolved material in domestic sewerage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants;

Liquids, solids, sludges or dissolved constituents which are collected or separated in process units for recycling, recovery or reuse including the recovery of energy, within a continuous or batch manufacturing or refining process; or

Agricultural materials which are recycled in the production of agricultural commodities.

The April 30, 2007 inspection revealed that Brady Rentals LLC was managing solid wastes without a permit, or a one-time, or emergency authorization in violation of the Wyoming SWRR. On April 15, 1998, Brady's Mobile Homes (P.O. Box 1417) was issued a Letter of Violation

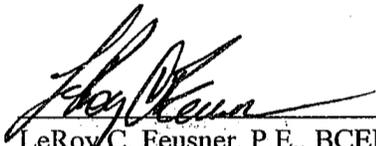


(LOV) for operating a solid waste disposal site without the required solid waste permit.

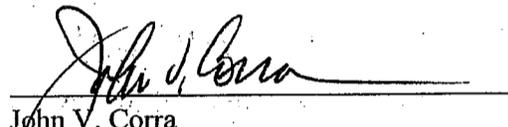
ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney 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 10 day of May, 2007



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



John Y. Corra
Director
Dept. of Environmental Quality