

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

IN THE MATTER OF THE
NOTICE OF VIOLATION
ISSUED TO:

MR. DON CROSS)
AREA SERVICE INC., LLC (ASI))
2740 COULTER LANE) DOCKET NO.: 4115-07
GILLETTE, WY 82716)
)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

During the 4/30/2007 inspection the following violations were found:

1. On April 30, 2007, May 31, 2007, and on July 10, 2007, Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division inspector, Mr. Tim Link (Environmental Scientist I), conducted inspections of Area Services Inc. located at 2740 Coulter Lane in Gillette, WY, for the purpose of evaluating compliance with the Wyoming Solid and Hazardous Waste (HWRR) Rules and Regulations (SWRR).

2. The inspections revealed the following violations of the Wyoming SWRR and HWRR:

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)]. ASI, LLC, was disposing and burning of industrial solid waste materials in an area located on their property at 2740 Coulter Lane, Gillette, Wyoming. The material being disposed of consisted of metal 55-gallon drums, oilfield equipment, junk auto bodies, wood materials, abandoned vehicles, office/shop paper wastes, and other miscellaneous materials from the oilfield service business.

The April 30, 2007, inspection revealed that ASI LLC, was managing solid wastes without a permit or a one-time or emergency authorization in violation of the Wyoming SWRR.

b. Count 2: Chapter 1, Section 1(h)(v) of the SWRR prohibits open burning of wastes not exempted by an WDEQ Air Quality Division permit. The April 30, 2007, revealed evidence of open burning of wastes that was not exempted by issuance of an WDEQ Air Quality Division permit. Therefore, Area Services Inc. was in violation of SWRR, Chapter 1, Section 1(h)(v) for open burning of solid wastes.

c. Count 3: The used oil generator does not have the required Spill Prevention, Control and Countermeasure (SPCC) plan and/or the required secondary containment [HWRR, Chapter 12, Section 11 (c)]. At the time of the Department's May 31, 2007, and May 31, 2007, inspections, the total used oil storage capacity of approximately 1700 gallons of used oil exceeded the SPCC maximum capacity limit of 1,320 gallons.



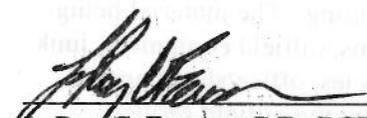
Area Services Inc. did not have adequate secondary containment for storage of used oil and the required SPCC plan and was, therefore, in violation of HWRR, Chapter 12, Section 11(c). **On January 13, 1999, Area Services Inc., was issued a Letter of Violation (LOV) for not having the required SPCC and secondary containment onsite.**

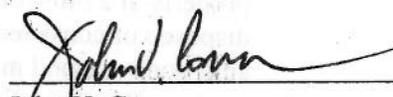
d. Count 4: The containers, above ground tanks, and UST fill pipes were not labeled or clearly marked with the words "Used Oil". [HWRR, Chapter 12, Section 11 (c)(iii)] Thirty two (32), 55-gallon drums containing used oil were found to be unlabeled during the May 31, 2007 inspection. However all containers were properly labeled prior to the July 10, 2007 inspection. **On January 13, 1999, Area Services Inc., was issued a Letter of Violation (LOV) for not properly labeling all used oil containers.**

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 30 day of July, 2007


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


John V. Corra
Director
Dept. of Environmental Quality