

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

IN THE MATTER OF THE  
NOTICE OF VIOLATION  
ISSUED TO:

SHON SCHROEFEL, OWNER  
SRS43, LLC, PUMP & WASH  
PO BOX 279  
BUFFALO WY 82834

)  
)  
) DOCKET NO. 4344-08

JOSEPH REINER, OWNER  
BUFFALO PORTA POTTY, LLC  
27 ROCK CREEK ROAD  
BUFFALO WY 82834

CARL L. L. REINER, PROPERTY OWNER  
27 ROCK CREEK ROAD  
BUFFALO WY 82834

**NOTICE OF VIOLATION**

NOTICE IS HEREBY GIVEN THAT:

1. On July 23, 2008, Wyoming Department of Environmental Quality (WDEQ), Solid and Hazardous Waste Division (SHWD) personnel, Mr. Timothy Moe, conducted inspections of SRS43, LLC, Pump & Wash, Buffalo Porta Potty, LLC, and a private property located near the Town of Buffalo, Wyoming. The inspections of the businesses and private property were conducted due to the Department receiving a complaint regarding unauthorized disposal of car wash sump sludge waste and to evaluate compliance with the Wyoming Environmental Quality Act (EQA), Solid Waste Rules and Regulations (SWRR) and Hazardous Rules and Regulations (HWRR).
2. The Department's inspections revealed that sump sludge wastes generated by the SRS43, LLC, Pump & Wash were removed from the car wash facility by Buffalo Porta Potty, LLC for the purpose of treatment and disposal of the wastes. Subsequent to the removal of the sump sludge wastes from the SRS43, LLC, Pump & Wash car wash facility, Buffalo Porta Potty, LLC transported and dumped the sump sludge wastes onto private property at 27 Rock Creek Road on Section 23, T.51 N., R.82 W., 6th P.M., located approximately one (1) mile north of the Town of Buffalo, Wyoming. The private property (promiscuous dump site) is owned by Mr. Carl L. Riener.
3. Wyoming Statute §35-11-502(a)(i), states: "Solid waste management facilities permits. No person, except when authorized under the permit system established pursuant to this act, shall: (i) Locate, construct, operate or close a solid waste management facility."
4. Wyoming Statute §35-11-502(a)(i), states: "Solid waste management facilities permits. No person, except when authorized under the permit system established pursuant to this act, shall: (i) Locate, construct, operate or close a solid waste management facility."



5. Chapter 15, Section 14 of the SWRR states, in part: "Promiscuous Dumping. Persons shall not deposit solid waste in an area that is not designated by the Department as a solid waste disposal facility."

6. The described activities are in violation of the above cited statutes/regulations for the disposal of solid wastes without a permit. The SRS43, LLC, Pump & Wash facility; Buffalo Porta Potty, LLC, and Mr. Carl L. Reiner, each had a role in the activities described in paragraph 2 above, which constitute violations of the statutes and regulations listed above.

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 22nd day of August, 2008

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

  
John V. Corra  
Director  
Dept. of Environmental Quality