



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

John Corra, Director

Dave Freudenthal, Governor

September 26, 2008

Cynthia Langston, Manager of Solid Waste
City of Casper
200 N. Davis Street
Casper, Wyoming 82601

RE: **Retraction Of September 3, 2008, Notice Of Violation (NOV)**

Dear Ms. Langston:

The purpose of this letter is to inform you that the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division (Department) is formally retracting the September 3, 2008, NOV that was sent to you for violations of the Wyoming Solid Waste Rules & Regulations (SWRR). As the result of discussions Department personnel, Mr. Patrick Troxel, had with you, Ms. Cynthia Langston, on September 15, 2008, the Department has determined to formally retract the NOV. The violation in the NOV has been formally retracted because of a misunderstanding of the facts submitted to the Department in a May 12, 2008, correspondence.

Specifically, In 2005 the City of Casper submitted a permit renewal application. The renewal application was approved on January 25, 2007. Once the application was approved, the City of Casper determined that the closure elevations needed to be modified to account for waste accepted between the time the renewal permit was submitted and approved (2005 to 2007). Although the difference was approximately 10%, the final contours and waste volumes were still less than the permit in place at that time. Therefore, the facility was not out of compliance with the Solid Waste Rules and Regulations.

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

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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We apologize for any inconvenience this may have caused you. Please find attached the formal Order to Vacate. Should you have any questions concerning our determination, please feel free to contact me at 307-777-7753.

Sincerely,



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

Cc: Bob Doctor, SWP&CA Program Manager, Casper Office
Patrick Troxel, District #2 Supervisor
Cheyenne SHWD File #10.070
Lander SHWD File #10.070

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF
VIOLATION AND ORDER ISSUED TO:

CYNTHIA LANGSTON, MANAGER OF SOLID WASTE)
CITY OF CASPER)
200 N. DAVIS STREET)
CASPER, WYOMING 82601)

DOCKET NO. 4348-08

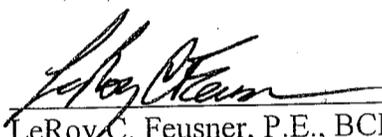
ORDER TO VACATE

The Department of Environmental Quality hereby vacates the Notice of Violation and Docket Number 4348-08 issued to the City of Casper.

Signed this 30 day of September, 2008.



John V. Corra
Director
Department of Environmental Quality



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

PLEASE DIRECT ALL INQUIRES TO: Bob Doctor, Permitting and Corrective Action Program Manager at 152 North Durbin Street, Suite 100, Casper, WY 82601, (307) 473-3468 for technical matters.