

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

George Lenz)
944 Big Horn Avenue)
Worland, WY 82401)

) DOCKET NUMBER 4383-08
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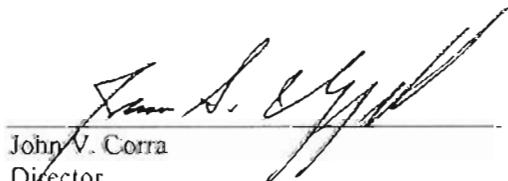
NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

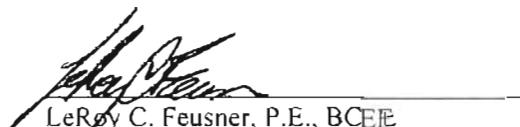
1. George Lenz owns and operates underground storage tanks (USTs) located at 944 Big Horn Avenue, Worland, Wyoming. The facility is registered as UST facility 0-000580 and does business under the name "Kraft's Service Center." Butterfly valves in the drop tubes are used for the required overfill protection.
2. A compliance inspection was conducted on August 27, 2008, by personnel from the Department of Environmental Quality. It was discovered that the overfill device in the unleaded tank had been disabled by inserting a length of rebar into the drop tube to prevent the overfill device from closing.
3. Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 10 (a) states: "(a) Owners and/or operators of storage tank systems shall ensure that releases due to spilling or overfilling do not occur. The owner and/or operator shall ensure that the volume available in the tank is greater than the volume of regulated substance to be transferred to the tank before the transfer is made. The owner and/or operator shall also insure that the transfer operation is monitored constantly to prevent overfilling and spilling."
4. By disabling the overfill device in one of the gasoline USTs, George H. Lenz d/b/a Krafts Service Center has violated Chapter 17, Section 10 (a), WWQRR.
5. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), 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.

NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 28th day of October, 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: Robert Lucht, P.E. & P.G., Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7095 or (307) 777-5973 FAX for technical matters.

JVC/LCF/RFL: