

BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

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

Bill Weiman )  
P.O. Box 7062 )  
Fargo, ND 58106 )

DOCKET NUMBER 4518-09 )  
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NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Bill Weiman owns and operates one 12,000 gallon underground storage tank (UST) located at 270 Alpine Village Circle, Alpine, Wyoming. The facility is registered as UST facility 0-005206 and does business as Alpine Airport Fueling Facility. The facility has been selling fuel without receiving authorization by the Department to operate. The facility has been operating without proper leak detection equipment.

2. Wyoming Statute 35-11-1420(b) states: "(b) No person shall install or substantially modify, or cause to be installed or substantially modified, any new or replacement tank without thirty (30) days prior notification to the department. Upon completion of the installation or modification the owner shall notify the department and the department shall within ten (10) days of receiving notification of completion, inspect the site or have the site inspected by a qualified state, local government or private inspector. No tank shall be operated until the department determines the installation or modification meets the applicable standards and the department has issued a written inspection letter to the tank owner stating that the facility, as constructed or modified, meets state standards, except that if the department has not inspected the tank within fifteen (15) days after receiving notice of completion, the tank may be operated without written notification of the department until the tank is inspected."

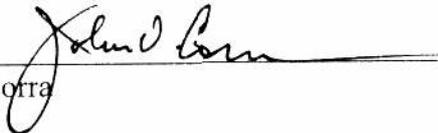
Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 14(a) states: "(a) *Release Detection*. Owners and/or operators of UST systems shall provide a method, or combination of methods, of release detection that: (i) Can detect a release from any portion of the tank and the connected piping that routinely contains a regulated substance;"

3. By operating the UST without first obtaining written approval from the Department, Bill Weiman has violated Wyoming Statute 35-11-1420(b). By operating the UST with leak detection, Bill Weiman has violated WWQRR, Chapter 17, Section 14(a).

4. 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 6 day of July, 2009.

  
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John V. Corra  
Director  
Department of Environmental Quality

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.