BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO:	)	
Panhandle Cooperative Association P.O. Box 2188 Scottsbluff, NE 69363-2188	)	DOCKET NUMBER 4957-12

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Panhandle Cooperative Association owns and operates underground storage tank facility number 0-002378, which is known as the Panhandle Cooperative Association/Torrington. It is located at West Highway 26, Torrington, Wyoming. This facility has four underground storage tanks. The underground tanks are connected to pressurized piping that is monitored for leaks by automatic line leak detectors (ALLDs).

   On January 25, 2012, a storage tank compliance inspection was conducted at the Panhandle Cooperative Association/Torrington. It was discovered that the unleaded plus ALLD had been removed.

2. DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17 have occurred:

   Count 1: Failure to Provide a Method of Leak Detection on a Pressurized Line System: [WWQRR, Chapter 17, Section 14(a)]: As owner and operator of underground storage tanks, Panhandle Cooperative Association has violated WWQRR, Chapter 17, Section 14(a), by failing to have a form of line leak detection present on the pressurized piping connected to the unleaded plus tank.

   Count 2: Failure to Have an Operable Automatic Line Leak Detector [WWQRR, Chapter 17, Section 14(g)(i)(B)]: As owner and operator of underground storage tanks, Panhandle Cooperative Association has violated WWQRR, Chapter 17, Section 14(g)(i)(B), by failing to have an ALLD installed on the pressurized piping connected to the unleaded plus tank.

3. Any person, who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license, or variance adopted there under, is liable for a penalty of ten thousand dollars ($10,000.00) 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 Wyoming.

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 shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Notice of Violation be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 29th day of February, 2012

John V. Corra
Director
Department of Environmental Quality

for Carl Anderson, PhD
Administrator
Solid and Hazardous Waste Division

PLEASE DIRECT ALL INQUIRES TO: Oma Gilbreth, Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7097 or (307) 777-5973 FAX for technical matters.

JVC/CA/KH/OG/SH