BEFORE THE

ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION AND ORDER ISSUED TO:	)	
Wayne and Holli Jones P.O. Box 389 Buffalo, WY 82834	)	DOCKET NUMBER: 5045-12

NOTICE OF VIOLATION

AND

ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Wayne and Holli Jones own and operate Meadowlark Lake Lodge, underground storage tank (UST) facility 0-003802. Meadowlark Lake Lodge has one UST that is located at 6835 US Highway 16, near Ten Sleep, Wyoming.

2. Wayne and Holli Jones do not have a licensed Class A Storage Tank Operator for the USTs located at Meadowlark Lake Lodge.

3. Wayne and Holli Jones do not have a licensed Class B Storage Tank Operator for the USTs located at Meadowlark Lake Lodge.

4. The DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, have occurred at Meadowlark Lake Lodge:

   Count 1: Failure to Have a Licensed Class A Storage Tank Operator [WWQRR, Chapter 17, Section 46(a)]. As owner of an UST, Wayne and Holli Jones are in violation of WWQRR, Chapter 17, Section 46(a), for failure to have a licensed Class A Storage Tank Operator.

   Count 2: Failure to Have a Licensed Class B Storage Tank Operator [WWQRR, Chapter 17, Section 46(b)]. As owner of an UST, Wayne and Holli Jones are in violation of WWQRR, Chapter 17, Section 46(b), for failure to have a licensed Class B Storage Tank Operator.

5. This Notice is being sent to Wayne and Holli Jones 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.

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ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL-STATE OF WYOMING

WHEREFORE IT IS HEREBY ORDERED THAT:

1. Wayne and Holli Jones bring the facility into compliance with WWQRR, Chapter 17, by performing the following:

    a. Within 90 days of receipt of this NOV, have a licensed Class A Storage Tank Operator assigned to the Meadowlark Lake Lodge.

    b. Within 90 days of receipt of this NOV, have a licensed Class B Storage Tank Operator assigned to the Meadowlark Lake Lodge.

THIS ORDER is final unless, not later than ten (10) days after the date this notice is received, it is appealed by filing a written petition for a hearing before the Environmental Quality Council. If a hearing is requested, the petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

ORDERED this 23rd day of August, 2012.

John V. Corra
Director
Department of Environmental Quality

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