

BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

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

Whitaker Oil, Inc. )  
1325 North Cleveland )  
Loveland, CO 80537 )

DOCKET NUMBER 5099-13

NOTICE OF VIOLATION

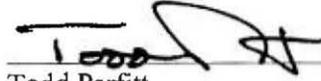
NOTICE IS HEREBY GIVEN THAT:

1. Whitaker Oil, Inc., owns and operates Ghost Town Truck Stop, underground storage tank (UST) facility number 0-004117, which is located at 6680 North Yellowstone, Casper, Wyoming. This facility has three USTs that Whitaker Oil, Inc., uses to store gasoline and diesel. The USTs have butterfly/flapper overfill prevention devices.
2. On November 14, 2012, personnel from the Department of Environmental Quality (DEQ) conducted a UST compliance inspection at Ghost Town Truck Stop. The inspection revealed that a tank dipstick had been left in the fill tube of the premium tank, thus preventing the butterfly/flapper overfill prevention device from operating properly.
3. The DEQ has determined that the following violation of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17 has occurred:  
  
**Count 1: Disabling an Overfill Prevention Device: [WWQRR, Chapter 17, Section 6(c)(i)].**  
As the owner and operator of the USTs located at Ghost Town Truck Stop, Whitaker Oil, Inc., violated WWQRR, Chapter 17, Section 6(c)(i), by having a tank dipstick in a fill tube. The tank dipstick would have prevented the butterfly/flapper overfill prevention device from automatically shutting off the flow of fuel into the tank when the tank was at 95% capacity.
4. Any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license, or variance adopted thereunder, 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.
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.

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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 11th day of JANUARY, 2013.



Todd Parfitt  
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.

TP/CA/KH/OG