



Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

Todd Parfitt, Director

April 4, 2013

CERTIFIED 7011 2000 0002 5157 4403

Dennis Riding
Maverik, Inc.
880 West Center Street
North Salt Lake City, UT 84054

SUBJ: Notice of Violation Docket Number 5144-13

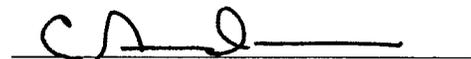
Dear Mr. Riding:

Enclosed you will find a Notice of Violation, Docket Number 5144-13, issued under the provisions of W.S. 35-11-701(c).

On February 6, 2013, Department of Environmental Quality (DEQ) personnel performed an underground storage tank compliance inspection at Maverik #187, located at 425 South Sixth Street in Thermopolis, Wyoming. The inspection revealed that the overfill device and drop tube had been removed from the unleaded gasoline tank. Failure to have an overfill prevention device is a violation of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 6(c)(i)(B). Failure to have a drop tube that extends to within 6 inches of the bottom of the tank is a violation of WWQRR, Chapter 17, Section 16(a)(iv).

If you would like to resolve this matter through a stipulated settlement without the need to go to District Court, the DEQ is willing to negotiate such a settlement. Please contact Oma Gilbreth at (307) 777-7097 within 30 days of receipt of this letter to arrange a date and time to negotiate a penalty amount.


Todd Parfitt
Director
Department of Environmental Quality


Carl Anderson, PhD
Administrator
Solid and Hazardous Waste Division

TP/CA/KH/OG

Enclosure: Notice of Violation



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

Maverik, Inc.)
880 West Center Street)
North Salt Lake City, UT 84054)

DOCKET NUMBER 5144-13

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Maverik, Inc., owns and operates Maverik #187, underground storage tank (UST) facility number 0-001526, which is located at 425 South Sixth Street, Thermopolis, Wyoming. Maverik #187 has three USTs that Maverik, Inc., uses to store gasoline and diesel. The USTs at Maverik #187 have drop tubes with butterfly/flapper valves for overfill prevention. The USTs at Maverik #187 are registered as being monitored by inventory control and automatic tank gauging.
2. On February 6, 2013, personnel from the Department of Environmental Quality (DEQ) conducted a UST compliance inspection at Maverik #187. The inspection revealed that the drop tube and overfill prevention device had been removed from the unleaded UST.
3. The DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17 have occurred:

Count 1: Failure to Have an Overfill Prevention Device: [WWQRR, Chapter 17, Section 6(c)(i)(B)] As the owner and operator of the unleaded UST located at Maverik #187, Maverik, Inc., violated WWQRR, Chapter 17, Section 6(c)(i)(B), by failing to have an overfill prevention device.

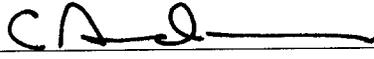
Count 2: Failure to Have a Drop Tube: [WWQRR, Chapter 17, Section 16(a)(iv)] As the owner and operator of the unleaded UST located at Maverik #187, Maverik, Inc., violated WWQRR, Chapter 17, Section 16(a)(iv), by failing to have a drop tube that extends to within 6 inches of the bottom of a UST that is being monitored by inventory control.
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.

(THIS SPACE INTENTIONALLY BLANK)

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 5th day of APRIL, 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