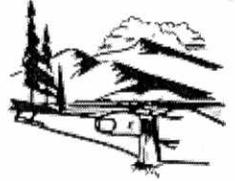




Department of Environmental Quality

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

May 15, 2014

CERTIFIED 7012 3460 0000 7423 0603

Mr. Brad Hall
#18 Sheridan Wyoming Property, LLC
P.O. Box 50620
Idaho Falls, ID 83405

RE: Notice of Violation Docket Number 5423-14

Dear Mr. Hall:

Enclosed you will find a Notice of Violation, Docket Number 5423-14, issued under the provisions of W.S. 35-11-701(c).

On May 8, 2014, Department of Environmental Quality (DEQ) personnel performed an underground storage tank compliance inspection at the Good To Go Store #18, located at 1229 Brundage Lane, Sheridan, Wyoming. The inspection revealed that the inventory control records for the diesel tank failed to balance for two consecutive months, and #18 Sheridan Wyoming Property, LLC, failed to report and investigate a suspected release. Failure to report and investigate a suspected release when inventory control records fail to balance for two consecutive months is a violation of Wyoming Water Quality Rules and Regulations, Chapter 17, Section 16(a)(viii).

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

Luke Esch
Administrator
Solid and Hazardous Waste Division

TP/LE/KH

Enclosure: Notice of Violation



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)
)
Brad Hall)
#18 Sheridan Wyoming Property, LLC)
P.O. Box 50620)
Idaho Falls, Idaho 83405)
)

DOCKET NUMBER 5423-14

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. #18 Sheridan Wyoming Property, LLC, owns and operates the Good to Go Store #18, underground storage tank (UST) facility number 0-000508, located at 1229 Brundage Lane, Sheridan, Wyoming. This facility has two USTs used to store gasoline and diesel. Monthly automatic tank gauge (ATG) testing and inventory control are used to monitor the USTs for releases at this facility.
2. Whenever inventory control is used for UST release detection, and the inventory control records for a tank fail to balance for two consecutive months, the owner and/or operator is/are required to report and investigate a suspected release.
3. On May 8, 2014, personnel from the Department of Environmental Quality (DEQ) conducted an UST compliance inspection at the Good to Go Store #18. The inspection revealed that the inventory control records failed to balance for the diesel tank during July and August 2013. #18 Sheridan Wyoming Property, LLC, did not report or investigate a suspected release.
4. The DEQ has determined that the following violation of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17 has occurred:

Count 1: Failure to Report and Investigate a Suspected Release: [WWQRR, Chapter 17, Section 16(a)(viii)]. As the owner and operator of the USTs located at the Good To Go Store #18, #18 Sheridan Wyoming Property, LLC, violated WWQRR, Chapter 17, Section 16(a)(viii), by failing to report and investigate a suspected release when the inventory control records for the diesel tank failed to balance during the months of July and August 2013.
5. 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.
6. 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 22nd day of MAY, 2014.



Todd Parfitt
Director
Department of Environmental Quality



Luke Esch
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/LE/KH