



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 16, 2014

CERTIFIED 7012 3460 0000 7423 0580

Holly Edmunds
Bradley Petroleum, Inc.
7268 South Tucson Way
Englewood, CO 80112

SUBJ: Notice of Violation Docket Number 5419-14

Dear Ms. Edmunds:

Enclosed you will find a Notice of Violation (NOV), Docket Number 5419-14, issued under the provisions of W.S. 35-11-701(c).

The NOV is issued to Bradley Petroleum, Inc., for failure to provide storage tank compliance records when requested and for failure to store the compliance records on-site or at a readily available site located within Wyoming.

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/OG

Enclosure: Notice of Violation



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

Bradley Petroleum, Inc.)
7628 South Tucson Way)
Englewood, CO 80112)

DOCKET NUMBER 5419-14

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Bradley Petroleum, Inc., owns and operates Bradley Petroleum #15, underground storage tank (UST) facility number 0-003396, which is located at 902 East Second Street in Casper, Wyoming. This facility is a convenience store and has three USTs that are used to sell fuel to the public.
2. A notice of inspection was sent on February 13, 2014, informing Bradley Petroleum, Inc., that DEQ personnel would be performing a storage tank compliance inspection on March 13, 2014. The notice requested that tank compliance records be on-site at the time of inspection. The inspection revealed the storage tank compliance records were not on-site. The records were being stored at Bradley Petroleum, Inc.'s, headquarters in Colorado. A letter of violation (LOV) was sent to Bradley Petroleum, Inc., outlining the violations discovered during the inspection. The LOV also informed Bradley Petroleum, Inc., that a follow-up inspection would be conducted on April 21, 2014.

A notice of inspection was sent on April 3, 2014, informing Bradley Petroleum, Inc., that a follow-up storage tank compliance inspection would be conducted at Bradley #15. The notice also requested that the required storage tank compliance records be on-site at the time of inspection. The follow-up inspection was conducted on April 21, 2014. The inspection revealed that the storage tank compliance records were still not on-site and were being stored in Colorado.

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

Count 1: Failure to Provide Storage Tank Compliance Records When Requested: [WS 35-11-1422]. As the owner of the USTs located at 902 East Second Street in Casper, Bradley Petroleum, Inc., violated WS 35-11-1422, by failing to provide requested Storage Tank Compliance Records.

Count 2: Failure to Keep Required Storage Tank Records On-Site or at a Readily Available Location Within the Boundaries of the State of Wyoming: [WWQRR, Chapter 17, Section 13(d)]. As the owner of the USTs located at 902 East Second Street in Casper, Bradley Petroleum, Inc., violated WWQRR, Chapter 17, Section 13(d), by failing to keep required storage tank records on-site or at a readily available location within Wyoming.

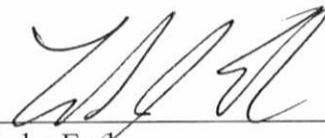
4. Any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license, or variance adopted thereunder, is liable for a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney 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.

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 27th 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/OG