

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

Conrad and Bischoff, Inc.)
P.O. Box 50106)
Idaho Falls, ID 83402)

DOCKET NUMBER 5460-14

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Conrad and Bischoff, Inc., operates Wrangler Petroleum, underground storage tank (UST) facility number 0-003569, located at 580 West Broadway, Jackson, WY. The facility has five USTs that are used to sell fuel retail.
2. Wrangler Petroleum has only one licensed Class A and B Storage Tank Operator, and that individual is also responsible for another gas station located in Jackson.
3. On August 4, 2014, a notice of inspection was sent to Conrad and Bischoff, Inc., informing them that a UST compliance inspection would be conducted at Wrangler Petroleum on August 26, 2014. The notice requested that all UST monitoring records be made available onsite at the time of inspection.

The UST compliance inspection was conducted at Wrangler Petroleum on August 26, 2014. The inspection revealed that: 1) Class C Storage Tank Operator training was not being conducted and documented, 2) monthly inspections were not being conducted by the Class A Operator, and 3) documentation of cathodic protection testing and operator's annual inspections were not onsite at the time of inspection.

4. Prior to assuming responsibility for responding to emergencies and alarms, service station managers and fuel clerks are required to receive Class C Storage Tank Operator training.

Whenever a Class A Storage Tank Operator is over more than one facility, a monthly inspection is to be conducted by the Class A or B Storage Tank Operator for the facility.

Owners and/or operators are required to keep storage tank compliance records onsite or at a readily available alternative site. The records must be provided for inspection when requested.

5. The DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, and WS 35-11 Article 14 have occurred:

Count 1: Failure to Perform Class C Storage Tank Operator Training: [WWQRR, Chapter 17, Section 46(h)]. As the operator of the USTs located at Wrangler Petroleum, Conrad and Bischoff, Inc., violated WWQRR, Chapter 17, Section 46(h), by failing to provide Class C Storage Tank Operator training for its store clerks.

Count 2: Failure to Conduct Monthly Inspections: [WWQRR, Chapter 17, Section 46(d)]. As the operator of the USTs located at Wrangler Petroleum, Conrad and Bischoff, Inc., violated WWQRR, Chapter 17, Section 46(d), by failing to conduct monthly

inspections when the Class A operator is in charge of more than one facility.

Count 3: Failure to Provide Records for Inspection When Requested: [WWQRR, Chapter 17, Section 13(d) and WS 35-11-1422(a)]. As the operator of the USTs located at Wrangler Petroleum, Conrad and Bischoff, Inc., violated WWQRR, Chapter 17, Section 13(d) and WS 35-11-1422(a), by failing to provide compliance records for inspection when they were requested.

6. 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.
7. 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 6th day of October, 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