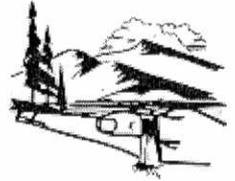




Department of Environmental Quality

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

October 2, 2014

CERTIFIED 7012 1640 0000 8415 7433

Lt. Col. James Duke
Commander 90th Engineering Squadron
300 Vessle Dr.
F.E. Warren AFB, 82005

RE: Notice of Violation Docket Number 5468-14

Dear Lt. Col. Duke:

Enclosed you will find a Notice of Violation, Docket Number 5468-14, issued under the provisions of W.S. 35-11-701(c).

During July 30-31, 2014, Department of Environmental Quality (DEQ) personnel performed underground storage tank compliance inspections at missile launch sites Alpha-1, Alpha-2, Alpha-3, Alpha-4, Alpha-5, and Alpha-11. The inspections revealed that inspection intervals for the impressed current cathodic protection (ICCP) rectifiers for each of these sites exceeded 60 days on multiple occasions. Failure to inspect an ICCP rectifier every 60 days is a violation of Wyoming Water Quality Rules and Regulations, Chapter 17, Section 11(c).

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:)

United States Air Force.)
90th Civil Engineering Squadron)
300 Vesle Drive)
FE Warren AFB, 82005)

DOCKET NUMBER 5468-14

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. The United States Air Force owns and operates the underground storage tanks (USTs) located at the Alpha Flight missile launch sites near Albin, Wyoming. The USTs located at Alpha-1 (Facility 0-002622), Alpha-2 (Facility 0-002609), Alpha-3, (Facility 0-002639), Alpha-4 (Facility 0-002631), Alpha-5 (Facility 0-002628), and Alpha-11 (Facility 0-002614), are steel and are protected from corrosion by impressed current cathodic protection (ICCP) systems.
2. ICCP systems have a rectifier that provides power to the ICCP system. ICCP systems are required to continuously protect steel USTs from corrosion. In order to determine if an ICCP system is adequately protecting the USTs, owners and/or operators are required to inspect the rectifier and document the readings from the amperage meter, voltage meter, and hour meter every 60 days.
3. During July 30-31, 2014, DEQ personnel conducted UST compliance inspections at each of the Alpha Flight missile launch sites. The inspections revealed that the intervals between ICCP rectifier inspections had exceeded 60 days at each of these sites.

The ICCP rectifier at each site was inspected on April 3, 2013, and was not inspected again until June 3, 2013 (61 days).

The ICCP rectifier at each site was inspected on June 3, 2013, and was not inspected again until October 25, 2013 (144 days).

The ICCP Rectifier at each site was inspected on April 1, 2014, and was not inspected again until June 4, 2014 (64 days).

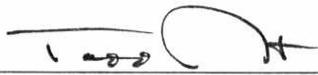
5. The DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, have occurred:

Counts 1-18: Failure to Inspect an ICCP Rectifier Every 60 days: [WWQRR, Chapter 17, Section 11(c)]. As the operator of the USTs located at launch control facilities Alpha-1, Alpha-2, Alpha-3, Alpha-4, Alpha-5, and Alpha-11, the United States Air Force violated WWQRR, Chapter 17, Section 11(c), by failing to inspect the ICCP rectifier every 60 days at these 6 facilities on 3 different occasions.

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 8th 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