



# 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

March 13, 2015

**CERTIFIED 7013 3020 0000 6357 3327**

Wayne and Holly Jones  
P.O. Box 389  
Buffalo, WY 82834

RE: Notice of Violation Docket Number 5549-15

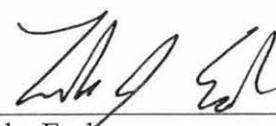
Dear Mr. and Mrs. Jones:

Enclosed you will find a Notice of Violation, Docket Number 5549-15, issued under the provisions of W.S. 35-11-701(c).

On February 2, 2015, Department of Environmental Quality (DEQ) personnel performed an underground storage tank compliance inspection at Meadowlark Lake Lodge, 6835 U.S. Highway 16, near Ten Sleep, Wyoming. The inspection revealed that inventory control was not being performed, and Class C Operator training was not being completed. Failure to perform inventory control when automatic tank gauging is used as the leak detection method is a violation of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 16(c)(i). Failure to complete Class C Operator training is a violation of WWQRR, Chapter 17, Section 46(h).

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.

  
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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: )  
Wayne and Holly Jones ) DOCKET NUMBER 5549-15  
P.O. Box .89 )  
Buffalo, WY 82834 )  
)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Wayne and Holly Jones own and operate Meadowlark Lake Lodge, underground storage tank (UST) facility number 0-003802, 6835 U.S. Highway 16, near Ten Sleep, Wyoming. This facility has one UST used to sell fuel retail.
2. Automatic tank gauging (ATG) is used as the leak detection method for the UST at Meadowlark Lake Lodge. When ATG is used as the leak detection method, inventory control must also be performed.

Class C operators (service station clerks) must be trained prior to assuming responsibility for responding to emergencies or alarms. Class C operators must be trained by the Class A or B operator for the facility.

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 Perform Inventory Control When Using ATG as the Leak Detection Method: [WWQRR, Chapter 17, Section 16(c)(i)].** As the operator of the UST located at Meadowlark Lake Lodge, Mr. and Mrs. Jones violated WWQRR, Chapter 17, Section 16(c)(i), by failing to perform inventory control when using ATG as the leak detection method for the UST.

**Count 2: Failure to Perform Class C Storage Tank Operator Training: [WWQRR, Chapter 17, Section 46(h)].** As the operator of the UST located at Meadowlark Lake Lodge, Mr. and Mrs. Jones violated WWQRR, Chapter 17, Section 46(h), by failing to provide Class C Storage Tank Operator training for the store clerks.

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 13th day of MARCH, 2015.

  
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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