



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

March 7, 2006

CERTIFIED

Bradley Calkins
Bradley Petroleum, Inc.
105 South Cherokee Street
Denver, CO 80223

Dear Mr. Calkins:

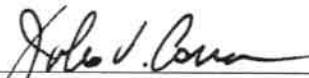
Enclosed you will find a Notice of Violation, Docket Number **3851-06** issued under the provisions of W.S. 35-11-701(c).

On February 16, 2006, our office received annual leak detection documentation for 2005 for underground storage tank (UST) facility 0-003396. This facility is known as Bradley #15 and is located at 902 East Second Street, Casper Wyoming. Included in the documentation was the Monthly/Annual SIR Report from your SIR provider, USTMAN, which showed "inconclusive" and/or "fail" results for numerous months during 2005 for the three USTs at this facility.

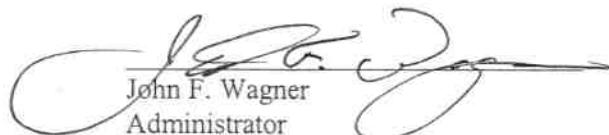
All inconclusive results from the SIR provider require an investigation by the owner and/or operator as soon as they are reported. Owners and/or operators shall report a suspected release whenever the SIR provider reports a failure, or whenever an inconclusive result has not been resolved. No suspected releases were reported for this facility. Furthermore, no documentation of any investigation to determine if releases had occurred at this facility was provided.

Failure to report and investigate suspected releases is a violation of Wyoming Water Quality Rules and Regulations Chapter 17, Section 16 (g).

If you would like to resolve this matter through a stipulated settlement without the need to go to the district court, this Department is willing to negotiate such a settlement. If this is your desire, please contact Robert Lucht at 777-7095, within thirty (30) days of your receipt of this letter to arrange a mutually agreeable meeting date for the purpose of negotiating the penalty amount.



John V. Corra
Director
Department of Environmental Quality


John F. Wagner
Administrator
Water Quality Division

JVC/JFW/RFL/bb/6-0199.LTR
Enclosure: Notice of Violation

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002 • <http://deg.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7368 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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BEFORE THE
DEPARTMENT ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)
)
Bradley Petroleum, Inc.)
105 South Cherokee)
Denver, CO 80223)

DOCKET NUMBER 3851-06

NOTICE OF VIOLATION

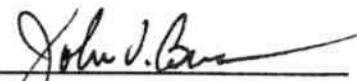
NOTICE IS HEREBY GIVEN THAT:

1. Bradley Petroleum, Inc. owns and operates underground storage tank (UST) facility number 0-003396. This facility is known as Bradley #15 and is located at 902 East Second, Casper, Wyoming. This facility has three steel USTs that were installed in 1971 and uses Statistical Inventory Reconciliation (SIR) as its monthly UST leak detection method.

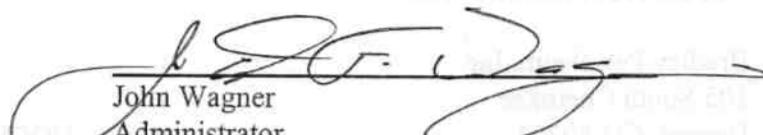
Annual leak detection documentation for 2005 was received for this facility on February 16, 2006. Included in this documentation was the Monthly/Annual SIR Report from SIR provider USTMAN which showed "inconclusive" and "fail" results for numerous months for the three USTs. The midgrade UST failed for February and was inconclusive for July. The premium UST failed for February. The unleaded UST failed for January, February and March and was inconclusive for September. No suspected releases were reported for the facility. Furthermore, no documentation of investigations to determine if releases had occurred was provided;
2. Bradley Petroleum, Inc. failed to report and investigate suspected releases of a regulated substance;
3. Wyoming Water Quality Rules and Regulations (WWQRR) Chapter 17 Section 16 (g) states: "Statistical Inventory Reconciliation (SIR). All SIR methods shall: (iv) All "inconclusive" results shall be investigated by the owner and/or operator as soon as they are reported by the SIR company, including a complete audit of all input data. The owner and/or operator shall make every effort to resolve all "inconclusive" results as soon as they are reported." Also, WWQRR Chapter 17 Section 16 (g)(v) states: "Owners and/or operators using SIR shall report a suspected release and follow the requirements of Section 19 (c) of this chapter whenever: (A) Any single month is reported as a failure for the UST system by the SIR company; and (B) Any month is reported by the SIR company as "inconclusive" unless that inconclusive result has been resolved by re-submission of audited inventory numbers to the SIR company."
4. By failing to report and investigate suspected releases Bradley Petroleum, Inc. has violated WWQRR Chapter 17 Section 16 (g).
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 (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

Signed this 4th day of March, 2006.



John V. Corra
Director
Department of Environmental Quality



John Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRES TO: Robert Lucht, P.E. & P.G. Storage UST Program Principal at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7095 or (307) 777-5973 FAX for technical matters.

JFC/JFW/RFL/bb/6-0199.NOV