



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

CERTIFIED MAIL

June 8, 2006

Mr. Scott McDonald
Park Construction Company
1600 Specht Point Drive, Suite F
Fort Collins, Colorado 80525

RE: NOV Docket Number 3895-06 -- Failing to pay all Fiscal Year 2005 WYPDES fees

Dear Mr. McDonald:

Enclosed is a copy of a Notice of Violation, Docket Number 3895-06 issued to Park Construction Company (the company). The company is the registered owner and operator of WYPDES permits and/or authorizations during the period from July 1, 2004 through June 30, 2005. A WYPDES fee invoice was sent to the company on July 29, 2005 requesting payment of all fees by September 1, 2005. A second WYPDES fee invoice was sent to the company on December 6, 2005 requesting payment of all fees by January 16, 2006. The company was called in April, 2006 and a third invoice was faxed to the company. To date, all WYPDES permit and/or authorization fees have not been paid by the company in violation of W.S.35-11-312.

While neither the attached Notice of Violation nor this letter constitutes an order, this office strongly urges you to take action to immediately eliminate the violations as follows:

1. The company should pay the WYPDES permit fee of one hundred dollars and no cents (\$100.00) for each authorization (WYR101857) and a penalty of five hundred dollars and no cents (\$500.00) for failing to submit the fee payment when required. A total payment of six hundred dollars and no cents (\$600.00) should be received by the DEQ on or before July 7, 2006.
2. Payment to the DEQ shall be by check made payable to the Wyoming Department of Environmental Quality, Water Quality Division. The payment should be sent to: Mr. Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor-West, 122 West 25th Street, Cheyenne, Wyoming, 82002. The check should reference Docket Number 3895-06 and WYPDES invoice number 2005-600.

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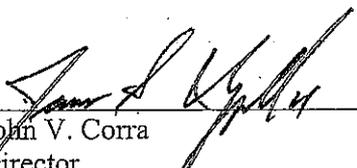
Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

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) 777-7369 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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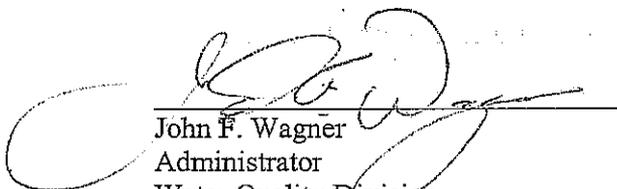


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The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a penalty by the company. If the company wishes to pursue resolution of the previously noted violation through such an agreement, please contact Mr. Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, at (307) 777-8669 on or before June 23, 2006 to set up a meeting to discuss this matter.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

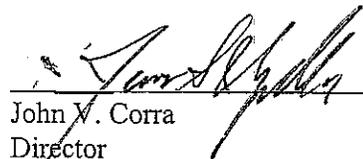
JVC/JFW/BRB/bb/6-0513.LTR

Enclosure: WYPDES Invoice 2005-600
Docket Number 3895-06

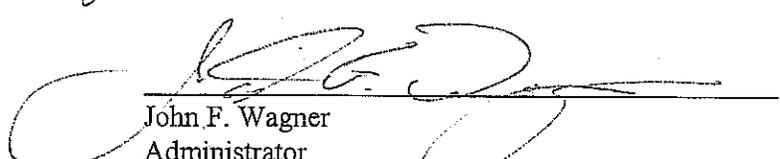
cc: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator
Docket Number 3895-06

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 7th day of June 2006.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/BRB/bb/6-0513.NOV

cc: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator
NOV Docket 3895-06
DEQ Director