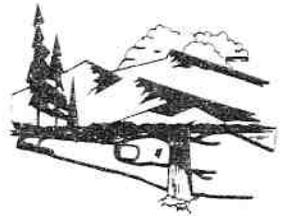




Department of Environmental Quality



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

November 6, 2006

Campbell County School District
1000 West 8th Street
Gillette, WY 82717

Bruce Engineering
P.O. Box 194
Gillette, WY 82717

Van Ewing Construction, Inc.
5650 Magnuson Blvd
Gillette, WY 82716

Malone Belton Abel
400 S. Kendrick Avenue, Suite 104A
Gillette, WY 82716

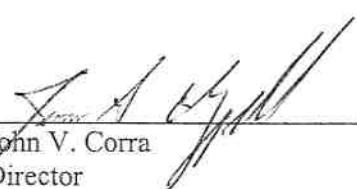
Weston Engineering, Inc.
1050 North 3rd Street, Suite E
Laramie, WY 82072

**RE: Notice of Violation, Docket Number 3981-06
Recluse #3 Public Water Supply Well**

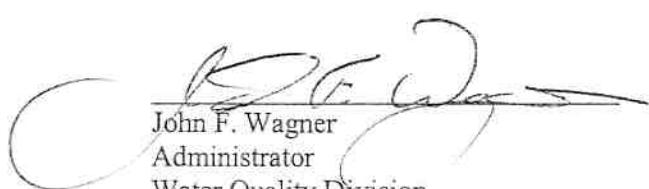
Gentlemen:

Attached is a Notice of Violation, Docket Number 3981-06, issued to you for the construction of a public water supply well without a permit.

The Water Quality Division has the authority to resolve violations with an out-of-court settlement agreement. If you desire to pursue resolution of the previously noted violation through such an agreement, please contact Mr. Don McKenzie, Program Manager of the Water and Wastewater Section (WWW), at (307) 777-7075 or Ms. Karen Farley, Northeast District WWW Supervisor, at 473-3478 on or before November 15, 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/DRM/bb/6-1045.LTR *JVC*
Enclosure: Notice of Violation Docket Number 3981-06

xc: Karen Farley, WWW, Casper
IPS
Keith Guile, DEQ Public Information Officer

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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



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

Campbell County School District)
1000 West 8th Street)
Gillette, WY 82717)

Bruce Engineering)
P.O. Box 194)
Gillette, WY 82717)

Van Ewing Construction, Inc.)
5650 Magnuson Blvd)
Gillette, WY 82716)

Weston Engineering, Inc.)
1050 North 3rd Street, Suite E)
Laramie, WY 82072)

Malone Belton Abel)
400 S. Kendrick Avenue Suite)
Gillette, WY 82716)

DOCKET NUMBER 3981-06

NOTICE OF VIOLATION

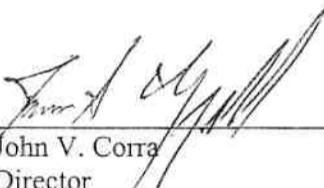
NOTICE IS HEREBY GIVEN THAT:

- 1 of 6. Campbell County School District is the applicant for a public water supply well (PWS), Recluse #3, located in the Northeast Quarter of the Southeast Quarter of Section 14 of Township 55 North, Range 74 West in Campbell County, Wyoming. Bruce Engineering is the engineer listed on the PWS application form. Malone Belton Abel is the architect for the school project. Bruce Engineering is also the Malone Belton Abel project civil engineer. Van Ewing Construction is the general contractor for the school project. Weston Engineering is the drilling company under contract to Van Ewing Construction to drill and complete the Recluse #3. These parties are referred to collectively as Campbell in this Notice of Violation (NOV).
- 2 of 6. Campbell submitted a permit to construct application to representatives of the Water Quality Division's (WQD) Casper Office on October 10, 2006, for the Recluse #3 as a PWS for the Recluse School. A WQD review was issued on October 20 and Bruce Engineering provided a response on October 30, 2006.
- 3 of 6. Wyoming Statute (W.S.) 35-11-301 (a) (v) requires a permit for the construction of a PWS.
- 4 of 6. Representatives of the WQD Casper Office visited the well site on November 1, 2006, and found Campbell had completed the Recluse #3 without receiving a permit to construct from the WQD. This is a violation of W.S. 35-11-301 (a) (v).
- 5 of 6. This NOV 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 (DEQ) shall cause a written notice to be issued and served on the person(s) alleged to be responsible.

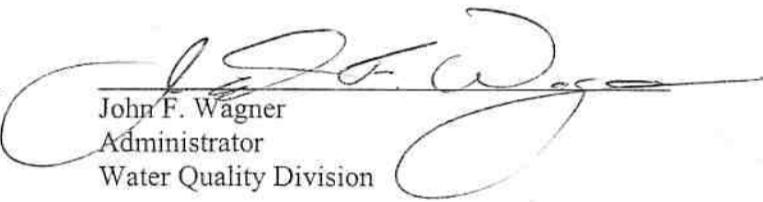
6 of 6. Pursuant to Wyoming Statute 35-11-901(a), any person who violates, or any director, officer or agent of a corporate permittee who willingly and knowingly authorizes, orders or carries out the violation of any provision of the Environmental Quality Act (Act), or any rule, regulation, standard, or permit adopted hereunder or who violates any determination or order of the council pursuant to this act or any rule, regulation, standard, permit, license, or variance is subject to a penalty not to exceed ten thousand dollars and no cents (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction. The penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming. Nothing herein shall preclude the department from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules or other settlement conditions, in lieu of litigation.

NOTHING IN THIS 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 6th day of November, 2006.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Don McKenzie, Water & Wastewater Section Program Manager, Wyoming DEQ WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002 Telephone 307-777-7075.

JVC/JFW/DRM/bb/6-1045.NOV *grf*

xc: Karen Farley, WWW Section, Casper
IPS
Keith Guile, DEQ Public Information Officer