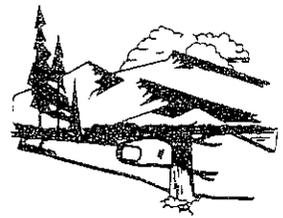




Department of Environmental Quality



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 14, 2006

Sublette County School District #1
147 East Henick
Pinedale, WY 82941

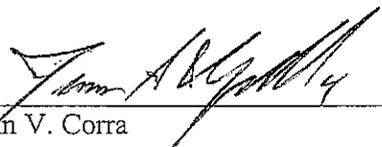
Bush & Gudgell, Inc.
555 South 300 East
Salt Lake City, UT 84111

**RE: Notice of Violation, Docket Number 3982-06
Water Distribution & Wastewater Collection Lines**

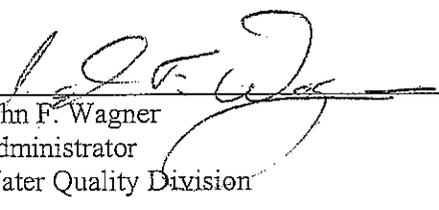
Gentlemen:

Attached is a Notice of Violation, Docket Number 3982-06, issued to you for the construction of distribution and collection lines 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 violations through such an agreement, please contact Mr. Don McKenzie, Program Manager of the Water and Wastewater Section (WWW), at (307) 777-7075 on or before December 1, 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/6-1068.LTR

Enclosure: Notice of Violation Docket Number 3982-06

xc: Brian Mark & Mark Baron, WWW
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:)**

**Sublette County School District #1)
147 East Henick)
Pinedale, WY 82941)**

**Bush & Gudgell, Inc.)
555 South 300 East)
Salt lake city, UT 84111)**

DOCKET NUMBER 3982-06

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

- 1 of 6. Sublette County School District #1 is the applicant for water distribution and wastewater collection extensions at the Pinedale Middle and High Schools, located in the Southwest Quarter of Section 34 of Township 33 North, Range 109 West in Sublette County, Wyoming. Bush & Gudgell, Inc. is listed as the engineer on the distribution and collection application form. These parties are referred to collectively as Sublette in this Notice of Violation (NOV).
- 2 of 6. Sublette submitted utility plans and applications for the Sublette Aquatic Center and the new 5th and 6th Grade expansion projects to the Water Quality Division (WQD) on August 31, 2006. In this package the cover letter indicated construction was already under way on these projects.
- 3 of 6. Wyoming Statute (W.S.) 35-11-301 (a) (iii) and (v) require permits for the construction of water distribution and wastewater collection systems.
- 4 of 6. The construction of water distribution and wastewater collection systems without permits from the WQD is a violation of W.S. 35-11-301 (a) (iii) and (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 20th 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/6-1068.NOV

xc: Brian Mark & Mark Baron, WWW Section
IPS
Keith Guile, DEQ Public Information Officer