



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

January 30, 2007

CERTIFIED MAIL

Mr. Butch Tilton
President
Tilton Ready Mix
312 E 15th St
Cheyenne, Wyoming 82001

**RE: Notice of Violation, Docket Numbers
3765-05 & 3871-06**

Dear Mr. Tilton:

The Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) issued Notice of Violation and Order Docket Number 3765-05 on June 30, 2005 to Tilton Ready Mix (Tilton) for discharging process wastewater without a WYPDES effluent discharge permit and for operating a regulated facility without a WYPDES storm water authorization for industrial activities. Item 2 of the Order required Tilton to submit a Notice of Intent (NOI) to the WQD for the discharge of storm water from the ready mix plant site on or before July 8, 2005. Item 4 of the Order associated with Docket 3765-05 required Tilton to submit a storm water pollution prevention plan (SWPPP) to the WQD for review on or before July 31, 2005.

In a letter dated January 4, 2006 the WQD requested that Tilton submit the NOI for the ready mix plant site by February 1, 2006. The NOI and SWPPP were never received and the DEQ issued NOV Docket 3871-06 on May 9, 2006 for violating the requirements of the Order. On July 3, 2006 the WQD received the NOI, and storm water authorization WYR001144 was issued on July 13, 2006. The DEQ and Tilton agreed to resolve NOV Docket 3871-06 through the submittal of the SWPPP by October 15, 2006 (see paragraph 3 of the Settlement Agreement), and through the payment of an \$18,000.00 penalty (see paragraph 4 of the Settlement Agreement).

As of the date of this letter, Tilton has not submitted a copy of the SWPPP to the WQD for review. Thus Tilton is still in violation of the Order associated with NOV Docket 3765-05 and the Settlement Agreement associated with NOV Docket 3871-06. Tilton shall submit a copy of the SWPPP to the WQD for review on or before February 16, 2007. Failing to do so will subject Tilton to further enforcement actions and the issuance of a third NOV.

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Should you have any other questions or comments concerning this matter, please contact me Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator at 777-8669.

Sincerely,


John F. Wagner

Administrator
Water Quality Division

JFW/BRB

cc: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator
Barb Sahl, Storm Water Program Coordinator
IPS (for scanning) ► Docket 3871-06
NOV Docket 3765-05
Keith Guile, DEQ Public Information Officer (PDF file only)
EQC Docket 05-3408