



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

April 18, 2007

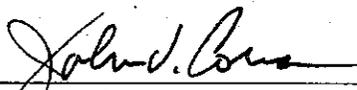
Thayne O'Brien, Contracting Officer
Grand Teton National Park
P.O. Box 170
Moose, WY 83012

RE: Notice of Violation, Docket Number 4049-07

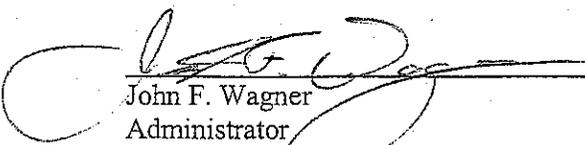
Dear Mr. O'Brien:

Attached is a copy of a Notice of Violation, Docket Number 4049-07, issued to the Grand Teton National Park for the construction of the White Grass Ranch Test Well without a permit.

The Water Quality Division has the authority to resolve violations with an out-of-court settlement agreement. If Grand Teton National Park desires to pursue resolution of the previously noted violation through such an agreement, please contact Mr. Don McKenzie, Water and Wastewater Section Manager, in writing by May 1, 2007 to set up a meeting to discuss this matter. He can be contacted at Wyoming DEQ/WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/DRM/bb/7-0285.LTR
JRS 4/17/07

Enclosure: Notice of Violation

xc: IPS
James Brough > Jeff Hermansky, Lander
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) 777-7937 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 777-5973	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 OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)
)
Thayne O'Brien, Contracting Officer)
Grand Teton National Park)
P.O. Box 170)
Moose, WY 83012)
)
)
)
)

DOCKET NUMBER 4049-07

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Grand Teton National Park (GTNP) is the owner of the test well, White Grass Ranch Well, located in the southwest quarter of Section 28 of Township 43 North, Range 116 West in Teton County, Wyoming.
2. Nelson Engineering submitted a permit to construct application to equip the well for public supply at White Grass Ranch and to install 950 linear feet of 4-inch diameter water main on February 2, 2007.
3. Wyoming Statute (W.S.) 35-11-301(a)(v) requires a permit from the Department of Environmental Quality (DEQ) prior to the construction of a public water supply. More specifically, Chapter 11, Section 62(a) of Wyoming Water Quality Rules and Regulations includes "test wells" as requiring a DEQ permit to construct.
4. GTNP constructed the well at White Grass Ranch on May 19 and 20, 2004 without receiving a permit to construct from the DEQ. This is a violation of W.S. 35-11-301(a)(v).
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 DEQ shall cause a written notice to be issued and served on the person alleged to be responsible.
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.

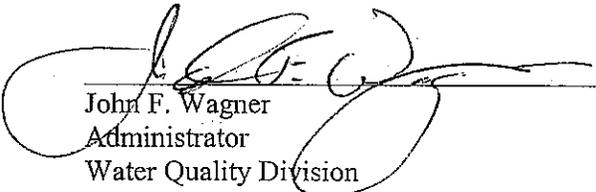
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NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

Signed this 18 day of April, 2007.



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 Manager, Wyoming DEQ WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-7075.

JVC/JFW/DRM/bb/7-0285.NOV
JRE 4/17/07

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