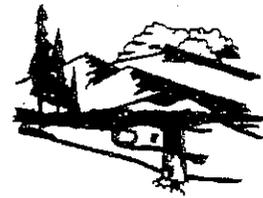




# Department of Environmental Quality



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 19, 2007

The Honorable Jack R. Spiker  
Mayor of the City of Cheyenne  
2101 O'Neil Ave, Room 310  
Cheyenne, WY 82001

*RE: Notice of Violation, Docket Number 4088-07*

Dear Mayor Spiker:

Attached is a copy of a Notice of Violation, Docket Number 4088-07, issued to the City of Cheyenne for the ongoing discharge of wash out water from street sweepers to the City of Cheyenne storm water system. The Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) provided verbal notification of this potential violation to the City in March of 2007. On May 1, 2007 the City provided the WQD with written assurance that this practice would be only conducted at the City Lube Shop and appropriate Best Management Practices (BMPs) would be maintained. WQD staff documented the City washing out a street sweeper into Dry Creek on May 23, 2007.

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

1. The City of Cheyenne should immediately cease all discharge of wash out water at any location other than the City Lube Shop and maintain appropriate BMPs at this location.

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a stipulated penalty and agreement to an enforceable compliance schedule by the City of Cheyenne. If the City of Cheyenne wishes to pursue resolution of the previously noted violations through such an agreement, please contact Mr. Kevin M. Wells, WYPDES Compliance & Enforcement Coordinator at (307) 777-8669, or Mr. Brian K. Lovett, WYPDES Inspection & Compliance Supervisor at (307) 777-5630 on or before July 13, 2007 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/KMW/bb/7-0504.LTR

Enclosure: Notice of Violation

cc: Aaron Urdiales, 8ENF-W-NP, EPA Region 8 (PDF)  
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft  
IPS (for scanning) ► Docket 4088-07  
Keith Guille, DEQ Public Information Officer (PDF)

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

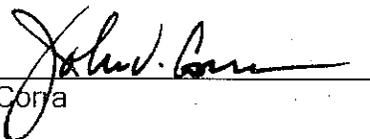
ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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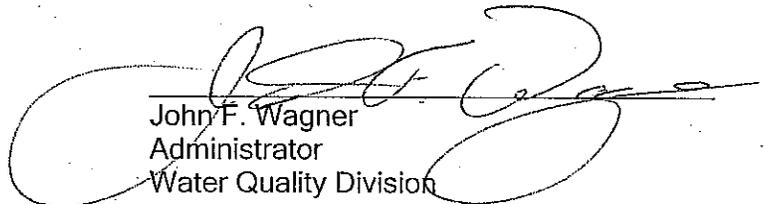




NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

Signed this 20 day of June, 2007.

  
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John V. Corja  
Director  
Department of Environmental Quality

  
\_\_\_\_\_  
John F. Wagner  
Administrator  
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells., WYPDES Compliance & Enforcement Coordinator, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/KMW/MB/bb/7-0504.NOV

cc: Aaron Urdiales, 8ENF-W-NP, EPA Region 8 (PDF)  
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft  
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DEQ Director