



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

July 12, 2007

Goshen County School District #1
2602 West E Street
Torrington, WY 82240

**RE: Notice of Violation, Docket Number 4103-07
Water Distribution & Wastewater Collection Lines**

Gentlemen:

Attached is a copy of a Notice of Violation, Docket Number 4103-07, 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. Lou Harmon, Program Southeast District Engineer of the Water and Wastewater Section at (307) 777-7088 on or before August 1, 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/LBH/bb/7-0569.LTR
GR 7/17/07

Enclosure: Notice of Violation Docket Number 4103-07

xc: Don McKenzie, WWW Section
IPS
Keith Guile, DEQ Public Information Officer



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

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

**Goshen County School District #1)
2602 West E Street)
Torrington, WY 82240)**

DOCKET NUMBER 4103-07

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

- 1 of 6. Goshen County School District #1 is the applicant for water distribution and wastewater collection extensions (utility plans) at the Torrington Middle School, located in the Northeast Quarter of Section 9 of Township 24 North, Range 61 West of the 6th P.M. in the City of Torrington in Goshen County, Wyoming. These parties are referred to collectively as Goshen County School District #1 in this Notice of Violation (NOV).
- 2 of 6. Goshen County School District #1 submitted utility plans and an application for the Torrington Middle School project to the Water Quality Division (WQD) on February 14, 2007. This application was assigned a WQD application number 07-062. On February 27, 2007 a review of plans and specifications was returned to Goshen County School District #1 and the civil engineering firm, Benchmark Engineers, P.C. This review explicitly stated that the Application 07-062 was "not authorized for construction." No response to the review of plans and specifications was ever received. On July 3, 2007 it came to the attention of the WQD that the water distribution and wastewater collection extensions had been constructed.
- 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 are violations 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

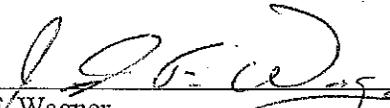
General in the name of the People of the State of Wyoming. Nothing herein shall preclude the department from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules or other settlement conditions, in lieu of litigation.

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 13 day of July, 2007.



John V. Corra
Director
Department of Environmental Quality



John E. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Lou Harmon, Southeast District Engineer, Water & Wastewater Section, Wyoming DEQ WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002 Telephone 307-777-7088.

JVC/JFW/LBH/bb/7-0569.NOV

JK 7/13/7

xc: Don McKenzie, WWW Section
IPS
Keith Guile, DEQ Public Information Officer