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

October 5, 2007

Wyoming Game and Fish Department
Bobby J. Edwards
5400 Bishop Blvd.
Cheyenne, WY 82006

States West Water Resources Corporation
Brandon L. Gebhart, P.E.
1904 East 15th Street
Cheyenne, WY 82001

RE: Notice of Violation, Docket Number 4155-07

Dear Sirs:

Attached is a copy of a Notice of Violation, Docket Number 4155-07, issued to both the Wyoming Game and Fish Department and States West Water Resources Corporation for the construction of a public water supply main without a permit to construct.

The Water Quality Division has the authority to resolve violations with an out-of-court settlement agreement. If the Wyoming Game and Fish Department and States West Water Resources Corporation desire to pursue resolution of the previously noted violation through such an agreement, please contact Mr. Mark Baron, P.E., Southwest District Engineer, in writing by October 15, 2007 to set up a meeting to discuss this matter. He can be contacted at Wyoming DEQ/WQD, 510 Meadow Drive, Lander, Wyoming 82520, phone (307-335-6962).

John V. Corra
Director
Department of Environmental Quality

John F. Wagner
Administrator
Water Quality Division

JVC/JFW/MDB/bb/7-0872

Enclosure: Notice of Violation

xc: IPS
Mark Baron, P.E., W&WW, Lander
Keith Guile, DEQ Public Information Officer

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

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

BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO:	)	
Wyoming Game and Fish Department **Bobby J. Edwards** **5400 Bishop Blvd.** **Cheyenne, WY 82006**	)	
	)	**DOCKET NUMBER 4155-07**
States West Water Resources Corp. **Brandon L. Gebhart, P.E.** **1904 East 15th Street** **Cheyenne, WY 82001**	)	

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. 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 main.

2. On September 26, 2007 Brandon Gebhart, P.E. indicated in a phone conversation with Mark D. Baron, P.E. of the Lander DEQ office that construction had started on a 6-inch public water supply main without a permit. The construction of this 6-inch public water supply main is a violation, of W.S. 35-11-301(a)(v).

3. Wyoming Game and Fish Department is the owner of this 6-inch public water supply main designed to supply water for fire suppression sprinklers at the building located at 432 East Mill Street in Pinedale, Wyoming.

4. States West Water Resources Corporation who is the engineer of record directed that construction on this public water supply main start prior to receiving a permit to construct from the Department of Environmental Quality (DEQ).

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;

THIS SECTION INTENTIONALLY LEFT BLANK

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 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 9th day of October, 2007.

John V. Corra
Director
Department of Environmental Quality

John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Mark Baron, P.E., Southwest District Engineer, 510 Meadow View Drive, Lander, Wyoming 82520. Telephone 307-335-6962.

JVC/JFW/MDB/bb/7-0872
ARR 10/5/7

xc: IPS
Mark Baron, P.E., W&WW Section, Lander
Keith Guile, DEQ Public Information Officer