



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

September 16, 2010

Mr. John Zeiger
Saratoga Wastewater Lagoons
PO Box 486
Saratoga, WY 82331-0486

RE: Notice of Violation and Order, Docket Number 4736-10

Dear Mr. Zeiger:

Attached is a Notice of Violation and Order, Docket Number **4736-10**, for failing to respond to two Letters of Violation (LOVs) issued to Saratoga Wastewater Lagoons (Saratoga) for violations of permit conditions under WYPDES Permit WY0021491.

ANY APPEALS TO THE ENVIRONMENTAL QUALITY COUNCIL FROM THE ATTACHED ORDER MUST BE MADE IN WRITING WITHIN THE TEN (10) DAY TIME LIMIT PRESCRIBED BY W.S. 35-11-701(c). Chapter I, Section 3 of the Department of Environmental Quality Rules of Practice and Procedure (<http://soswy.state.wy.us/RULES/5675.pdf>) sets forth the requirements for the initiation of appeal proceedings.

To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first petition shall be mailed to the Chairman of the Environmental Quality Council at Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition should be sent to John V. Corra, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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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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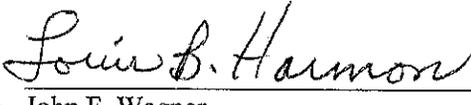


Saratoga Wastewater Lagoons
September 16, 2010
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PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Natural Resource Program Manager at the Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.



John V. Corra
Director
Department of Environmental Quality



for John F. Wagner
Administrator
Water Quality Division

JVC/JFW/SW/bb/10-0828

Enclosure: Notice of Violation and Order/Spreadsheet

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
James B. Eisenhauer, WYPDES Inspection Program Coordinator, Sheridan (PDF)
Bill DiRienzo ► Kevin M. Wells ► Lou Harmon (PDF)
NOV Docket 4736-10
Environmental Quality Council
Keith Guille, DEQ Public Information Officer (PDF)

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

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

Saratoga Wastewater Lagoons)
PO Box 486)
Saratoga, WY 82331-0486)

DOCKET NUMBER 4736-10

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Saratoga Wastewater Lagoons (Saratoga) is a wastewater treatment facility in Carbon County, Wyoming which is permitted to discharge through the Wyoming Pollution Discharge Elimination System permit WY0021491.
2. Part I of the above referenced permit, under the Effluent Limitation Requirements requires that effluent discharged by the permittee shall, at a minimum, meet the limitations set forth in the permit. Saratoga has exceeded multiple effluent limits numerous times (see attached spreadsheet) as reported in the required quarterly Discharge Monitoring Reports (DMRs) since October 2009.
3. DEQ has issued 2 previous Letters of Violation (LOV) to Saratoga for violations of permit conditions, which both required a written response. To date DEQ has received no response for the LOVs issued June 2, 2010 and July 13, 2010.
- 4.. 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 the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible;

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING

WHEREFORE IT IS HEREBY ORDERED THAT:

1. Saratoga shall immediately submit the required delinquent report to the WQD indicating the corrective action to be implemented at the treatment facility to eliminate the effluent exceedances. This information shall be received by the WQD no later than 20 days from the date of this NOV and Order.

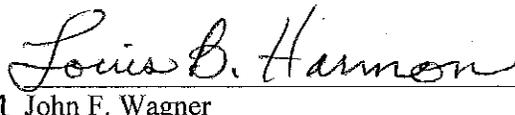
This ORDER is final unless, no later than ten (10) days after the date this notice is received; it is appealed by filing two written requests for a hearing before the Environmental Quality Council. If a hearing is requested, the first hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714, Herschler Building, 1st Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of the Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

Ordered this 28 day of Sept., 2010.



John V. Corra
Director
Department of Environmental Quality



for John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Natural Resource Program Manager, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/KMW/bb/10-0828

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Jim Eisenhauer, WYPDES Inspection Program Coordinator (PDF)
Bill DiRienzo ► Kevin M. Wells ► Lou Harmon (PDF)
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Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)