



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 27, 2010

**Mountain Cement Company
Mr. Steve Cooley
5 Sand Creek Road
Laramie, Wyoming 82070**

RE: Notice of Violation, Docket Number 4753-10

Dear Mr. Cooley:

Attached is a copy of a Notice of Violation, Docket Number 4753-10, issued to Mountain Cement Company (Mountain Cement), by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) for violations of WYPDES permits WY0035351 and WY0035360. Failure to submit Discharge Monitoring Reports (DMRs) is a violation of the permit conditions. While neither the attached Notice of Violation nor this letter constitutes an order, this office strongly urges you to take action to immediately eliminate the alleged violations as follows:

1. Mountain Cement should comply with WYPDES permit requirements for monitoring and reporting the discharges associated with the permitted facilities. The DMRs should be completed and received by the DEQ on 28th day following each 3 month monitoring period for the life of the permit.
2. Mountain Cement should immediately submit the complete and accurate delinquent reports to the WQD. This information should be received by the WQD no later than 20 days from the date of this NOV.

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a penalty by Mountain Cement. If Mountain Cement wishes to pursue resolution of the previously noted violations through such an agreement, please contact Kevin M. Wells, WYPDES Natural Resource Program Manager, at (307) 777-8669 within 21 days of the date of this letter to set up a meeting to discuss this matter.

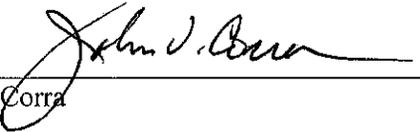
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Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

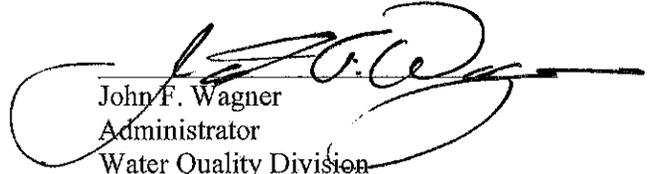
ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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Mountain Cement Company
October 25, 2010
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John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

Enclosure: Notice of Violation

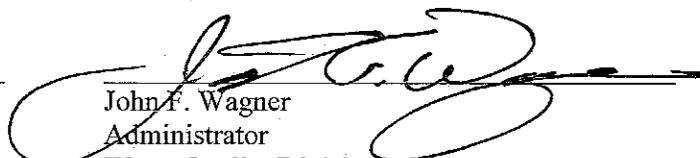
JVC/JFW/KMW/bb/rm/10-0961

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Bill J. DiRienzo ► Kevin M. Wells (PDF)
IPS (for scanning) ► Docket **4753-10**
Keith Guille, DEQ Public Information Officer (PDF File)
DEQ Director

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 1st day of November, 2010.


John V. Corra
Director
Department of Environmental Quality


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/rm/10-27-10

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