



THE STATE OF WYOMING  
ENVIRONMENTAL QUALITY COUNCIL

10/11/12

**Matt Mead,**  
Governor

Tom Coverdale  
Chairman

David Searle  
Vice-Chairman

Rich Fairservis  
Secretary

Dr. David Bagley  
Dennis Boal  
John N. Morris  
Tim Flitner

Jim Ruby  
Executive Secretary

Joe Girardin  
Paralegal

122 W. 25th, Herschler  
Bldg., Rm. 1714,  
Cheyenne, WY 82002  
(307) 777-7170  
FAX: (307) 777-6134  
<http://eqc.state.wy.us>

Badger Daylighting  
Mr. Virgil Shockley  
3941 W. 5th Street, Unit D  
Cheyenne, WY 82007

Re: Order Approving Notice of Violation and Order, EQC Docket No. 12-3212, DEQ  
Docket No. 5053-12

Dear Mr. Shockley:

Please take note that the attached Council Order is **NOT** a new Notice of Violation and Order issued by DEQ. If you have complied with the Notice of Violation and Order, if you are in the process of working out an agreement with DEQ, or if enforcement action is being pursued against you by DEQ, this Council **Order does not change your status**. Please call the Water Quality Division at 307-777-5632 if you have any questions regarding your compliance status under Notice of Violation and Order No. **5053-12**.

Under Section 35-11-112(a)(ii) of the Environmental Quality Act, the Environmental Quality Council (the Council) has the obligation to approve all final orders issued by the Department of Environmental Quality (DEQ). On **September 6, 2012** DEQ issued Notice of Violation and Order **#5053-12** to you and the EQC docketed it as **#12-3212**. You did not appeal the Order to the Council. Thus, the Order became final and the Council held a public meeting on **October 8, 2012** and approved the Notice of Violation and Order **5053-12**, EQC Docket No. **12-3212**.

Sincerely,

ENVIRONMENTAL QUALITY COUNCIL

Jim Ruby  
Executive Secretary

JR/jg

Encl.

**BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING  
EQC DOCKET NO. 12-3212**

**FILED**

OCT 08 2012

*Jim Ruby, Executive Secretary  
Environmental Quality Council*

IN THE MATTER OF THE NOTICE OF	)	
VIOLATION AND ORDER ISSUED TO:	)	
BADGER DAYLIGHTING	)	<u>ORDER APPROVING</u>
3941 w. 5 <sup>TH</sup> St. Unit D	)	<u>ORDER</u>
Cheyenne WY 82007	)	
DEQ DOCKET NO. 5053-12	)	

The above-referenced matter having been considered by the Environmental Quality Council pursuant to the provisions of W.S. 35-11-112(a)(ii), and it appearing to the Council that the time has expired for the filing of an appeal before this body from this order of the Department of Environmental Quality entered herein, and the Council being fully advised in the premises;

IT IS HEREBY ORDERED THAT the order of the Department of Environmental Quality entered herein be and the same hereby is approved.

DATED this 5<sup>th</sup> day of October , 2012.



~~Thomas Coverdale, Chairman~~ *David Searle*  
Environmental Quality Council  
Room 1714, Herschler Building, 1<sup>st</sup> Floor West  
122 W. 25<sup>th</sup> Street  
Cheyenne, WY 82002  
Phone: 307-777-7170  
Fax: 307-777-6134

## CERTIFICATE OF SERVICE

I, Joe Girardin, certify that at Cheyenne, Wyoming, on the 11<sup>th</sup> day of October, 2012, I served a copy of the foregoing **ORDER APPROVING ORDER** by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

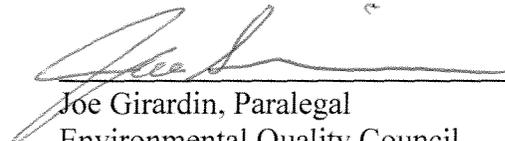
Badger Daylighting  
Mr. Virgil Shockley  
3941 W. 5th Street, Unit D  
Cheyenne, WY 82007

also to the following persons via electronic email:

John Corra, Director  
Department of Environmental Quality  
[john.corra@wyo.gov](mailto:john.corra@wyo.gov)

John Wagner  
Water Quality Division  
Department of Environmental Quality  
[john.wagner@wyo.gov](mailto:john.wagner@wyo.gov)

Mike Barrash  
Senior Assistant Attorney General  
Attorney General's Office  
[mike.barrash@wyo.gov](mailto:mike.barrash@wyo.gov)

  
Joe Girardin, Paralegal  
Environmental Quality Council