



# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.*



Matthew H. Mead, Governor

Todd Parfitt, Director

May 9, 2013

**CERTIFIED MAIL**

**Mr. Laurence J. Hulm  
Old West Cabins  
PO Box 2251  
Jackson, WY 83001**

**RE: Notice of Violation And Order, Docket Number 5154-13**

Dear Mr. Hulm:

Attached is a Notice of Violation and Order, Docket Number **5154-13**, for non-submittal of required semi-annual monitor reports for Underground Injection Control (UIC) facility WYS-039-102, permit number UIC 05-427. No monitor reports have been submitted for this facility since December, 2006. Two previous letters of violation requesting the delinquent monitor reports have gone unanswered. Non-submittal of required monitor report information is a violation of UIC permit UIC 05-427.

**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 Todd Parfitt, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor 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>

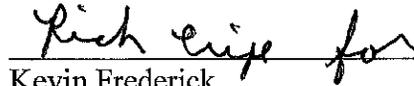
ADMIN/OUTREACH (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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**PLEASE DIRECT ALL INQUIRIES TO:** Ms. Kathy Shreve, Environmental Program Principal,  
Department of Environmental Quality, Water Quality Division, Herschler Building, 4<sup>th</sup> Floor West,  
122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Telephone (307) 777-6682.



Todd Parfitt  
Director  
Department of Environmental Quality



Kevin Frederick  
Administrator  
Water Quality Division

TP/KF/KES/bb/13-0423

Attachment: Notice of Violation and Order

cc: Wendy Cheung, EPA Region 8  
John Passehl, DEQ  
Kathy Shreve, DEQ  
NOV Docket **5154-13**  
Environmental Quality Council  
Keith Guille, DEQ Public Information Officer (PDF File Only)

**BEFORE THE**  
**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**STATE OF WYOMING**

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

**Laurence J. Hulm )  
Old West Cabins )  
PO Box 2251 )  
Jackson, WY 83001 )**

**DOCKET NUMBER 5154-13**

**NOTICE OF VIOLATION AND ORDER**

**NOTICE IS HEREBY GIVEN THAT:**

1. **Old West Cabins (OWC)** hereafter referred to as the Permittee, is the owner and operator of a Class V 5E3 domestic waste disposal facility (large scale septic system) located in Section 27, Township 40 North, Range 116 West, Teton County, Wyoming. The owner obtained permit coverage for the injection of 6,000 gallons per day (maximum) of domestic waste into the Snake River alluvium on November 1, 2005 for the following well:

<b>Permit</b>	<b>Facility Number</b>	<b>Injection Wells</b>
UIC 05-427	WYS-039-102	Septic System

2. **OWC** was issued Letters of Violation on May 30, 2012 and December 19, 2012 for failure to adhere to the monitoring and reporting requirements of UIC Permit UIC 05-427.
3. **OWC** has not complied with the May 30, 2012 or the December 19, 2012 Letters of Violation. Required semi-annual monitor reports have not been submitted for this facility for seven (7) years.
4. **OWC** is in violation of Underground Injection Control Individual Permit UIC 05-427 Section H (ENVIRONMENTAL MONITORING PROGRAM FOR GROUNDWATERS OF THE STATE), Condition #3, Section I (REQUIREMENTS FOR MONITORING THE DISCHARGE), Section K (RECORDS AND REPORTS), and Section N (DUTIES OF THE PERMITTEE) for failure to adhere to the monitoring and reporting requirements of the permit. No monitor reports for this facility have been received by the UIC Program for seven (7) years.
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.

**ORDER**

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING**

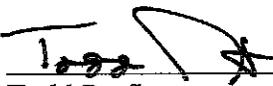
**WHEREFORE IT IS HEREBY ORDERED THAT:**

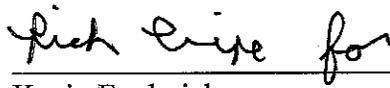
1. Within thirty (30) days of receipt of this Notice of Violation, OWC will submit all delinquent reports and associated laboratory reports from January 1, 2012 through March 31, 2013 for DEQ review and approval.
2. Within thirty (30) days of receipt of this Notice of Violation, OWC will provide a complete explanation describing why semi-annual monitor reports were not submitted since December, 2006.
3. Within thirty (30) days of receipt of this Notice of Violation, OWC will provide a plan of action, subject to Underground Injection Control Program staff approval, to ensure timely submission of monitoring report data in the future.
4. Within sixty (60) days from the receipt of this Notice of Violation, OWC will arrange for inspection of this facility by DEQ personnel.

This ORDER is final unless, not later than ten (10) days after the date this notice is received; it is appealed by filing two written petitions for a hearing before the Environmental Quality Council. If a hearing is requested, the first petition shall be mailed to: Chairman, Wyoming Environmental Quality Council, Room 1714, Herschler Building, 1<sup>st</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming, 82002. The second petition shall be mailed to: Director, Wyoming Department of Environmental Quality, Herschler Building, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Both petitions must be sent via certified mail, return receipt requested.

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

Ordered this 21<sup>st</sup> day of May, 2013

  
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Todd Parfitt  
Director  
Department of Environmental Quality

  
\_\_\_\_\_  
Kevin Frederick  
Administrator  
Water Quality Division

**PLEASE DIRECT ALL INQUIRIES TO:** Kathy Shreve, Environmental Program Principal, Wyoming DEQ/WQD, Herschler Building, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Telephone 307-777-6682.

cc: Wendy Cheung, EPA Region 8  
Kevin Frederick, WDEQ  
John Passehl, WDEQ  
Kathy Shreve, WDEQ  
NOV Docket 5154-13  
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