



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

CERTIFIED MAIL

September 25, 2013

Mr. Edward Gallagher
Supervisor
Driveway Experts
109 East 17th Street, Ste 52
Cheyenne, Wyoming 82002

RE: Notice of Violation, Docket Number 5191-13

Dear Mr. Gallagher:

Enclosed is a copy of a Notice of Violation, Docket Number 5191-13, issued to Driveway Experts for an unpermitted release of asphalt emulsion into a water of the state via the storm drain in Sheridan, Wyoming. The event was reported to the Wyoming Department of Environmental Quality's (DEQ), Water Quality Division (WQD) on August 2, 2013.

The DEQ has the authority to resolve violations with an out-of-court settlement agreement through the payment of a penalty by Driveway Experts. If Driveway Experts wishes to pursue resolution of the previously noted violation through such an agreement, please contact Mr. 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.

Todd Parfitt
Director
Department of Environmental Quality

Kevin Frederick
Administrator
Water Quality Division

TP/KDF/KMW/bb/13-0917

Enclosure: Notice of Violation

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Bill DiRienzo ► Kevin Wells (PDF)
IPS (for scanning) ► NOV Docket 5191-13
Keith Guille, DEQ Public Information Officer (PDF)

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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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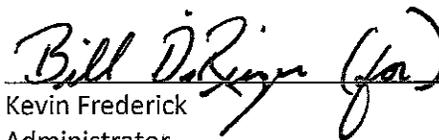
subject to a penalty not to exceed ten thousand dollars and no cents (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction. The penalty may be recovered in a civil action brought by the Attorney General 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, as appropriate, 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 30th day of September, 2013



Todd Parfitt
Director
Department of Environmental Quality



Kevin Frederick
Administrator
Water Quality Division

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

TP/KDF/KMW/bb/13-0917

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DEQ Director