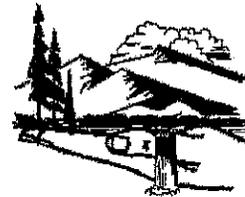




# Department of Environmental Quality

*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

May 8, 2014

Board of Directors  
North Sweetwater Water and Sewer District  
P.O. Box 125  
Reliance, WY 82943

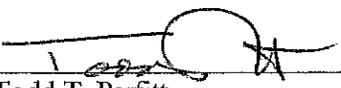
**RE: Notice of Violation and Order, Docket Number 5080-12  
Unauthorized Discharge from Lagoon System, North Sweetwater Water and Sewer District**

Dear Mr. Chairman:

Attached is a Notice of Violation and Order, Docket Number 5080-12, issued to the North Sweetwater Water and Sewer District (NSWSD) for the unauthorized discharge of wastewater from the evaporative lagoon system own and operated by the NSWSD.

**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 T. Parfitt, 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.

  
\_\_\_\_\_  
Todd T. Parfitt  
Director  
Department of Environmental Quality

  
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Kevin Frederick  
Administrator  
Water Quality Division

TP/KDF/RRC/bb/14-0393  
Enclosure: Notice of Violation Docket Number 5080-12  
xc: Mark Baron, WWW, Lander  
Brian Mark, SRF  
IPS  
Keith Guile, DEQ Public Information Officer



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

**IN THE MATTER OF THE NOTICE OF  
VIOLATION & ORDER ISSUED TO:**

**North Sweetwater Water and Sewer District  
P.O. Box 125  
Reliance, WY 82943**

**DOCKET NUMBER 5080-12**

**NOTICE OF VIOLATION AND ORDER**

**NOTICE IS HEREBY GIVEN THAT:**

1. The North Sweetwater Water and Sewer District (NSWSD) is the owner/operator of a public sewage collection system and evaporative sewage lagoon system for the disposal of domestic sewage from the unincorporated Town of Reliance, Sweetwater County, Wyoming.
2. On February 12, 2009 the Sweetwater County Board of Commissioners declared the Reliance Sewer District (RSD) dissolved and every position of the District's Board to be vacated. On March 1, 2011 the Sweetwater County Board of Commissioners adopted and approved resolution #11-03-CC-01 which created NSWSD. The resolution transferred the rights, titles, obligations, and interests of the Reliance Sewer District over to the NSWSD.
3. The Water Quality Division (WQD) issued a letter of violation (LOV) to RSD/NSWSD on November 18, 1981 for the unpermitted discharge of wastewater to surface waters of the state. The cited discharge occurred through an unpermitted modification to the system and the installation of an overflow discharge pipe.
4. There was another unpermitted discharge from the RSD/NSWSD sewage lagoon system during an inspection by the WQD on April 3, 1990. An LOV was issued on April 12, 1990 for this illegal discharge.
5. Between September of 1994 and January 2001 RSD/NSWSD constructed a third sewage lagoon to the north of the existing two lagoons without a permit to construct. This unpermitted lagoon also had an unpermitted overflow pipe installed. During inspections on December 29, 2006 and January 2, 2007 by the WQD, it was observed that sewage had discharged from the third lagoon without a permit to do so.
6. Construction of the third sewage lagoon and the installation of the overflow pipe is a violation of §35-11-301 (a)(iii).
7. On April 9, 2008 the Sweetwater County Environmental Health Director inspected the sewage lagoon facility and found a breach in the top of the third lagoon and noted that municipal waste had discharged through this breach.
8. In addition to the history of unpermitted discharge of waste from the sewage lagoon system, the NSWSD continues to accept septage waste from commercial septage haulers causing and contributing to the unpermitted surface discharge(s).
9. The NSWSD does not have authorization through the Wyoming Point Discharge Elimination System (WYPDES) permit system. Therefore, any discharge of wastewater is a violation of W.S. 35-11-301(a)(i).
10. 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 NSWSD:

1. No later than March 1, 2015 submit a Mineral Royalty Grant (MRG) application for consideration at the State Loan and Investment Board (SLIB) meeting in June 2015.
2. No later than April 1, 2015 submit a State Revolving Fund (SRF) application for consideration at the SLIB meeting in June 2015.
3. No later than June 1, 2015 submit to DEQ/WQD the environmental documents required for SRF funding.
3. No later than July 1, 2015 notify the DEQ/WQD whether conditional approval has been granted, or not granted, by SLIB for design and construction funding.
4. No later than September 2, 2015 notify the DEQ/WQD of SLIB's final approval or disapproval of the design and construction funding.
5. No later than March 1, 2016 submit to DEQ/WQD a complete application to construct a sewage collection, treatment, and disposal system that is in compliance with the Chapter(s) 3 and 11 of the Wyoming Water Quality Rules and Regulations.
6. No later than July 1, 2016 begin construction of the sewage collection, treatment, and disposal system that is in compliance with the Wyoming Water Quality Rules and Regulations. Notify the WQD Southwest District Engineer within thirty (30) days after construction has commenced.
7. Within thirty (30) days after the project has been completed, submit to the WQD Southwest District Engineer a Certificate of Completion.

This ORDER is final unless, not later than ten (10) days after the date of 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 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 be interpreted as being a condition precedent to any other enforcement action.

Ordered this 13<sup>th</sup> day of May, 2014.

  
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Todd T. Parfitt  
Director  
Department of Environmental Quality

  
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Kevin Frederick  
Administrator  
Water Quality Division

**PLEASE DIRECT ALL INQUIRIES TO:** Rich Cripe, Water & Wastewater Section Manager, Wyoming DEQ WQD, Herschler Building, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Telephone 307-777-7075.

RRC/WCT/bb/14-0393

cc: IPS  
Southwest District Engineer  
SRF Program  
Keith Guille, DEQ Public Information Officer