

08-3807



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SEP 08 2008

Jim Ruby, Executive Secretary
Environmental Quality Council

3950 Fairview Industrial Dr. SE Suite 210
Salem, OR 97302

Telephone (503) 587-8700 Facsimile (503) 587-8766 Oregon CCB# 138526

September 3, 2008

Chairman of the Environmental Quality Council
Herschler Building, 1st Floor West, Room 1714
122 West 25th Street
Cheyenne, WY 82002

RE: Docket Number 4331-08

To Whom It May Concern:

This letter is a request to appeal the notice of violation issued to KDA Construction, Inc. on August 14th, 2008 for the project known as The Bluffs Senior Estates located at 1600 Lombard Dr in Rock Springs, WY. This project has been abandoned due to lack of financing and no work has been performed since January 31st, 2008. This project has been canceled and there are no plans to continue to build the project at this time. Please accept this letter as termination of the project. All correspondence regarding this project can be forwarded to the ownership group. There contact information is as follows:

Rock Springs Senior Living, LLC
Contact: Scott Ramey
P.O. Box 3006
Salem, OR 97302
Phone: (503) 375-9016

If you have any questions regarding this letter please contact me at (503) 587-8700. Please note that I attached a copy of the mailing envelope that the notice of violation was sent in. The address that the notice of violation was sent to is our former address and we did not receive the notice until September 3, 2008.

Sincerely,

Brad Hankins
KDA Construction, Inc.
Project Manager

Cc: John V. Corra – Director of Wyoming DEQ
Scott Ramey – Rock Springs Senior Living, LLC

STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION
HERSCHLER BUILDING - 122 W. 25TH STREET
CHEYENNE, WYOMING 82002

CERTIFIED



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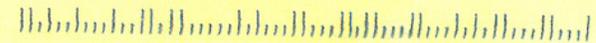
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CERTIFIED
Mr. Mark Tobiasson
KDA Construction Inc.
3723 Fairview
Salem, OR 973

902 N7E 1 1081 74 08/28/08
NOTIFY SENDER OF NEW ADDRESS
:KDA CONSTRUCTION INC
3950 FAIRVIEW INDUSTRIAL DR SE # 210
SALEM OR 97302-1155

BC: 97302115530 *0295-04335-21-39

97302+49750261155





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

August 14, 2008

Mr. Mark Tobiasson
KDA Construction Inc.
3723 Fairview Industrial Drive SE, Suite 196
Salem, OR 97302

RE: Notice of Violation and Order, Docket Number 4331-08

Dear Mr. Tobiasson:

Attached is a Notice of Violation and Order, Docket Number **4331-08**, for failing to abide by WYPDES Authorization WYR103444 as required by the WYPDES Storm Water Permit.

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 John V. Corra, 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.

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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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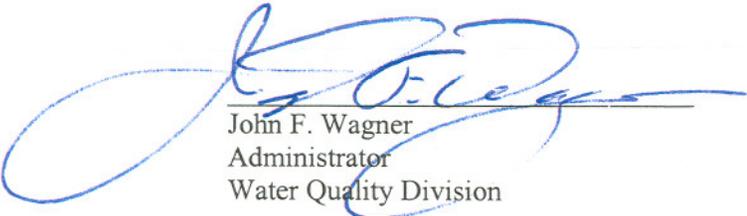


KDA Construction Inc.
August 14, 2008
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PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Compliance & Enforcement Program Coordinator at the Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/MB/bb/8-0614

Enclosure: Notice of Violation and Order

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
James B. Eisenhauer, WYPDES Inspection Program Coordinator, Sheridan (PDF)
Bill DiRienzo ► Brian K. Lovett ► Leah J. Krafft ► Barb Sahl (PDF)
NOV Docket 4331-08
Environmental Quality Council
Keith Guille, DEQ Public Information Officer (PDF)