

PAUL J. DREW
ATTORNEY AT LAW

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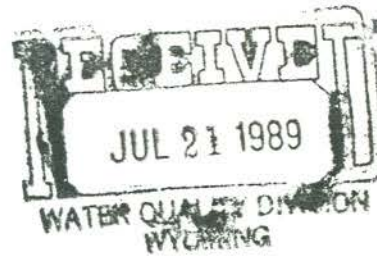
P.O. Box 3530 • 315 South Gillette Avenue • Gillette, Wyoming 82717-3530 • (307) 682-0216

AUG 03 1989

July 19, 1989

Terri A. Lorenzon, Adm. Asst.
Environmental Quality Council

Department of Environmental Quality
Water Quality Division
122 West 25th Street
Cheyenne, Wyoming 82002



ATTN: Mr. Matthew M. Langenfeld

RE: Hot Spot Conoco
Upton, Wyoming

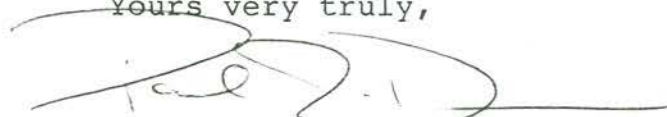
Dear Mr. Langenfeld:

This office represents Hot Spot Conoco of Upton, Wyoming to whom you wrote on July 7, 1989 requesting a written response regarding alleged soils contamination on my client's property. Please be advised that my client is diligently attempting to figure out what is required by way of contamination assessment and clean up. Your letter of July 7, 1989 seems to indicate that the Code of Federal Regulations sent to my client are self explanatory. Neither I nor my client believe this to be the case. Nonetheless, it is my client's intent to comply with the law and to cooperate with your agency.

I also note that Wyoming Statute §35-11-1405(e) provides that "any responsible person may petition the Wyoming environmental council for a finding that the person is financially incapable of carrying out necessary corrective action", in which event the department shall not require that person to carry out the corrective action. I sincerely suspect that my client is such a financially incapable person. I am wondering if any rules have been adopted providing a procedure for petitioning the council for a finding of financial incapability. I would appreciate your advising me of this at your very earliest opportunity, and if such rules have been adopted I would appreciate a copy of the same. It occurs to me that even figuring what corrective action needs to be taken will be quite financially burdensome not even considering the cost of the corrective action itself.

Thank you for your prompt attention to this matter.

Yours very truly,


Paul J. Drew

PJD:gb

xc:client

referred to EQC - 7-24-89
BY M. LANGENFELD