

P.O. Box 1599
Rock Springs, WY 82901
October 25, 1990

Environmental Quality Council
Terri Lorenzon, Administrative Aide
Barrett Building Room 308
2301 Central Avenue
Cheyenne, WY 82002

FILED

OCT 29 1990

Terri A. Lorenzon, Adm. Aide
Environmental Quality Council

Dear Miss Lorenzon,

I am writing to you in regards to several letters that I have received in the past months. In December I excavated tanks, replaced tanks, installed leak detection, overflow protection and more to try to meet the deadlines on the new regulations. To my dismay, after doing my best to follow all guidelines before the deadlines for removal of old tanks, etc. and considerable expense that I had not anticipated. I find that I am in an uncomfortable situation that may again lead to financial hardship or worse.

I received a letter in May that outlined the new guidelines for tank registration, the Corrective Action Account, etc. In July I received a letter that the legislature had passed the "Water Pollution from Underground Storage Tank Corrective Action Act of 1990" into law. This letter came from Sterling Roberts. At this time we had excavated soil that we were and are still unable to move because of the cost involved. We discussed this with Sterling Roberts and Bob Dundas. I believed that when I received this letter in July that the Corrective Action Act would help take care of this matter so I waited.

On October 23, 1990 I received a letter from David A. Finley that I was in violation of Section 35-11-502(solid waste management facilities permits) of the Wyoming Environmental Quality Act and for violation of Chapter 1, Section 1 of the Wyoming Solid Waste Management Rules and Regulations. I do not understand what this means but I have been given until December 31, 1990 to correct the situation.

The letter that I received says " Opportunity also exists for the state to use the corrective action account monies to accomplish excavated cleanup". I would like to request help in taking care of this cleanup. I removed these tanks before the deadline, have paid my annual fees and registered my remaining tanks. The cost of this project which I initially started in 1987 has gone well over \$100,000.00. I still have not paid the contractor for the excavation done in December and had a bill come in today for another \$8,000.00 for part of my leak detection installation. The

M. Barusch
cc: D. Finley. 10-29-90.ccc.

cost of removing this soil is way out of my reach. The County Landfill wants \$23.50 a ton to take the soil and I estimate the trucking between \$5,000.00 and \$8,000.00. So I am looking at another \$20,000.00 in costs.

I am an independent owner and have no access to these kinds of funds. I have tried to do this alone but I can no longer handle more monetary burden. Would you please reply and tell me where to apply for monies to help with this project.

This letter that I received on October 23 threatens me with a \$10,000.00 per day fine if I cannot comply. At this point there is no way for me to comply unless I can obtain help.

Sincerely,

Kelly B. Richards
Kelly's Convenience Center

Enclosure: Copy of letter to David A Finley

P.O. Box 1599
Rock Springs, WY 82902
October 25, 1990

Department of Environmental Quality
David A. Finley, Program Manager
Solid Waste Program
122 West 25th Street-Herschler Building
Cheyenne, WY 82002

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Terri A. Lorenzon, Adm. Aide
Environmental Quality Council

Dear Mr. Finley,

Upon receipt of your letter dated October 3, 1990 I was surprised that this matter was still at hand. I received a letter in July stating that the Wyoming Legislature had passed the new Corrective Action Act and that "Opportunity also exists for the state to use the corrective action account monies to accomplish excavation cleanup". I was under the impression that this cleanup fell under that situation.

I also am skeptical as to the fact that we are operating a landfill without a license. How can that be when the soil that is there now was there before? Would you please explain that to me in more detail and in layman terms? I would appreciate that very much.

M. B. Richards
I would like to appeal this action. I would appreciate enough time to find and contact the proper departments for pursuing this farther. The cost of undertaking such a project for me right now may put my business at financial risk. Any help that you can give to me would be greatly appreciated.

I am enclosing a copy of a letter to Terri Lorenzon seeking help in this matter.

I would like to get this matter resolved but I may need your help and cooperation and the help of other agencies to be able to.

Sincerely,



Kelly B. Richards
Kelly's Convenience Center

Enclosure: Copy of letter to Terri Lorenzon