

FILED

SEP 6 1979

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

Ardelle M. Kissler, Clerk
Environmental Quality Council

IN THE MATTER OF NOTICE
OF VIOLATION ISSUED TO:

Docket NO.: 590-79

KOMART, INC.
C/O LYLE R. KING
217 SOUTH 2ND STREET
LARAMIE, WYOMING 82070

REQUEST FOR HEARING
AND
APPEAL OF NOTICES OF VIOLATION
AND
CEASE AND DESIST ORDERS

COMES NOW, Komart, Inc., by and through its attorney, Marilyn S. Kite, and pursuant to W.S. 35-11-701 (c) and Department of Environmental Quality Rules of Practice and Procedure, and requests that a hearing be held before the Environmental Quality Council and that the Council review and vacate the Notices of Violation and Cease and Desist Orders issued in the above entitled matters. In support of its request, Petitioner states and alleges as follows:

1. That all sewer and water facilities constructed in the Komart Industrial Park 1st Addition, located in Section 5, T 15 N, R 73 W, within the City of Laramie, Wyoming were approved for construction by the Laramie City Engineer and comply with all city construction requirements.


2. That construction is complete on all systems and such systems are in use and functioning efficiently.

3. That "as-constructed" plans and applications for permits to construct have been submitted or are in the process of being submitted to the Water Quality Division, Department of Environmental Quality.

4. That the act of construction, which was the alleged violation, has ceased; and that any cease and desist orders are unnecessary and moot.

Therefore Petitioner requests a hearing before the Council and a vacation of all orders previously issued.

DATED this 6th day of September, 1979.


Marilyn S. Kite,
Attorney for Komart, Inc.
1050 North 3rd Street
Laramie, Wyoming 82070

CERTIFICATE OF SERVICE

I, Marilyn S. Kite, hereby certify that the above Request for Hearing and Appeal of Notices of Violation and Cease and Desist Orders was served to the following by mailing a copy thereof, postage prepaid, to David B. Park, Environmental Quality Council Chairman, 430 East First Street, Casper, Wyoming, 82601, Robert E. Sundin, Director, William L. Garland, Administrator, and Jake Strohmman, Engineering Central Supervisor, Department of Environmental Quality, Water Quality Division, Hathaway Building, Cheyenne, Wyoming, 82002, on this 6th day of September, 1979.


Marilyn S. Kite

[Faint handwritten notes and stamps at the bottom of the page, including a date stamp 'SEP 11 1979' and some illegible text.]