



Matt J. Micheli, P.C.
Partner
Phone (307) 778-4200
Fax (307) 778-8175
MJMicheli@hollandhart.com

Ashley A. Peck
Partner
Phone (801) 799-5913
Fax (801) 618-4161
AAPeck@hollandhart.com

April 22, 2019

VIA HAND DELIVERY

Meghan O'Toole Lally
Chair, Wyoming Environmental Quality Council
122 W. 25th Street
Herschler Building, 4th Floor East, Room E410
Cheyenne, WY 82002

Todd Parfitt
Director, Wyoming Department of Environmental Quality
200 W. 17th Street, 4th Floor
Cheyenne, WY 82002

**Re: Petition for Hearing Before the Environmental Quality Council
Maverik, Inc. / Maverik Country Store # 389, Storage Tank Facility # 0-003830
NOV Docket # 5924-19**

FILED

APR 22 2019

Jim Ruby, Executive Secretary
Environmental Quality Council

Dear Chair Lally and Director Parfitt:

On behalf of Maverik, Inc. ("Maverik"), we write to request a hearing before the Wyoming Environmental Quality Council, in order to preserve Maverik's rights under the above-referenced Notice of Violation ("NOV") dated April 12, 2019, issued by the Wyoming Department of Environmental Quality ("WDEQ"), pending the implementation of the Company's Work Plan and investigation. Maverik takes the factual circumstances outlined in the NOV seriously and has been in communication with WDEQ on a path forward. The NOV specifies, however, that it becomes a final Order unless, not later than ten days after the date the notice is received, a hearing is requested by petition. By submitting the subject request, Maverik seeks to meet WDEQ's ten-day deadline while maintaining that specific allegations are premature given the ongoing status of Maverik's fact-finding process, detailed further below.

The petitioner's contact information and the contact information of its attorneys, as required under Wyom. Admin. Code DEQ Practice and Procedure, Chapter 2, Section 4(b)(i), are as follows:



David B. Hancock
General Counsel
Maverik, Inc.
185 South State St.
Suite 800
Salt Lake City, UT 84111
(801) 683-3604
David.hancock@maverik.com

Marney DeVroom
Senior Corporate Counsel
FJ Management Inc.
185 South State Street
Suite 1300
Salt Lake City, UT 84111
(801) 301-7573
Marney.devroom@fjmgmt.com

Matt J. Micheli
Holland & Hart LLP
2515 Warren Avenue, Suite 450
P.O. Box 1347
Cheyenne, WY 82001
(307) 778-4200
MJMicheli@hollandhart.com

Ashley A. Peck
Holland & Hart LLP
222 South Main Street, Suite 2200
Salt Lake City, UT 84101
(801) 799-5913
AAPeck@hollandhart.com

The order upon which a hearing is requested, and as set forth above, is NOV Docket # 5924-19 ("NOV"). Wyom. Admin. Code DEQ Practice and Procedure, Chapter 2, Section 4(b)(ii).

Maverik is specifically requesting that the underlying requirements of the NOV not be stayed and is rather filing this request to preserve its appeal rights while the factual allegations are still under investigation. Consistent with the Order, Maverik is in compliance with the requirement to cease operation and deliveries until the Red Tag Order is lifted, and, in coordination with WDEQ, proposed a workplan for WDEQ review and approval. As of the date of this filing, WDEQ has approved the workplan and Maverik is proceeding to implement the work outlined therein.



As Maverik expressed during its meeting with WDEQ on April 18, 2019, the Company is proposing to perform follow up testing and implementation of improvements to the tanks and related equipment used to store and sell fuel to the public, including further investigation of the alleged release from one of its underground storage tanks, regulated under Title 14 of the Environmental Quality Act and Wyoming Solid and Hazardous Waste Rules and Regulations, Chapter 1, Storage Tank Program, Storage Tanks. Following implementation of the workplan, in consultation with the WYDEQ, Maverik will assess options and will prepare and submit a further workplan. Maverik reiterates that as of this writing, the specific allegations on which the NOV and the subject petition are based have not yet been fully determined. This request will be amended to reflect additional information identified during implementation of the workplan. Wyom. Admin. Code DEQ Practice and Procedure, Chapter 2, Section 4(b)(iii).

Pursuant to Wyom. Admin. Code DEQ Practice and Procedure, Chapter 2, Section 4(b)(iv), and in order to preserve its rights under the NOV pending the outcome of the investigation, Maverik hereby requests a hearing before the Wyoming Environmental Quality Council.

Thank you for your consideration, and please do not hesitate to contact us with any questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matt J. Micheli".

Matt J. Micheli
Ashley A. Peck

Holland & Hart LLP
ATTORNEYS FOR MAVERIK, INC.

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2019, I served a true and correct copy of the foregoing
PETITION FOR HEARING on the following:

By Hand-Delivery

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Holland & Hart LLP
222 South Main, Suite 2200
Salt Lake City, Utah 84101

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