

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUL 03 2019

IN RE MAVERIK STORES.

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DOCKET 19-32019

Jim Ruby, Executive Secretary
Environmental Quality Council

JOINT STIPULATED MOTION TO DISMISS WITH PREJUDICE

Maverik, Inc. ("Maverik") and the Wyoming Department of Environmental Quality ("WDEQ"), pursuant to and in accordance with Chapter 2, Sections 3(c) and 11(d) of the Rules and Regulations governing contested case proceedings, jointly move the Environmental Quality Council ("Council") to enter an Order dismissing the above-captioned Petition for Hearing filed on April 22, 2019, with prejudice. As grounds for this motion, the undersigned represent to this Council as follows:

WHEREAS, on April 12, 2019, WDEQ issued a Notice of Violation No. 5924-19 and Red-Tag Order to Maverik relating to Storage Tank Facility #0-003830.

WHEREAS, on April 22, 2019, Maverik timely filed the above-captioned Petition for Hearing, thereby preserving its rights during its internal investigation and pending compliance with Notice of Violation No. 5924-19 and WDEQ lifting the Red-Tag Order.

WHEREAS, on May 10, 2019, WDEQ determined Maverik's compliance with Notice of Violation No. 5924-19 and lifted the Red-Tag Order.

WHEREAS, Maverik and WDEQ agree that dismissal of the Petition for Hearing is appropriate.

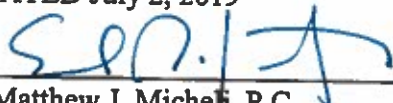
WHEREAS, Maverik has denied and continues to deny all allegations of wrongdoing or liability whatsoever arising out of the conduct, statements, acts, or omissions alleged in the Notice of Violation No. 5924-19, including without limitation WDEQ's factual and legal conclusions regarding the application of Chapter 1, Section 22(a) and (b) of the Rules and Regulations of the WDEQ.

WHEREAS, this Stipulation shall not constitute or be construed as an admission by Maverik of any wrongdoing or liability and shall be construed solely as a reflection of the desire of the Parties hereto to facilitate the dismissal of the above-captioned Petition for Hearing.

WHEREAS, neither this Stipulation nor the resulting dismissal with prejudice shall constitute or be construed as an adjudication or determination of the facts or legal claims of the Parties; to limit WDEQ's right or authority to issue additional notice(s) of violation and to seek appropriate remedies related to the conduct, statements, acts, or omissions alleged in Notice of Violation No. 5924-19; and/or to limit Maverik's rights to contest such allegations. This Stipulation shall be construed solely as a reflection of the desire of the Parties hereto to facilitate the dismissal of the above-captioned Petition for Hearing.

NOW, THEREFORE, IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED, between the Parties, that the above-captioned Petition for Hearing be dismissed by the Council with prejudice as herein set forth.

DATED July 2, 2019



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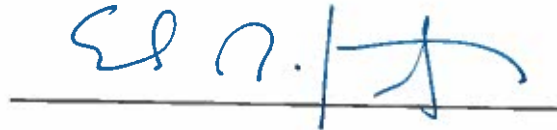
ATTORNEY FOR WYOMING DEPT.
OF ENVIRONMENTAL QUALITY,
SOLID AND HAZARDOUS WASTE
DIVISION, STORAGE TANK
PROGRAM

CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2019, I served a true and correct copy of the foregoing
JOINT STIPULATED MOTION TO DISMISS WITH PREJUDICE by U.S. Mail, postage
prepaid and properly addressed as follows:

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

A handwritten signature in blue ink, appearing to read "T. Parfitt", is written above a horizontal line.