

BEFORE THE
DEPARTMENT ENVIRONMENTAL QUALITY
STATE OF WYOMING

FILED

OCT 22 2004

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)

Ms. June Eisele Warren)
Managing Partner)
WESCO)
102 Scott Dr,)
Sheridan, WY 82801)

DOCKET NUMBER 3576-04

NOTICE OF VIOLATION

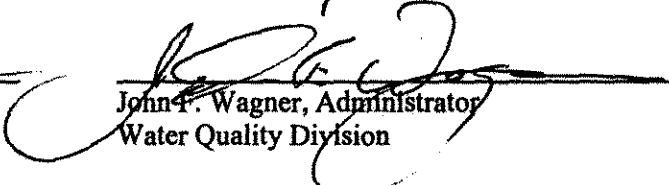
NOTICE IS HEREBY GIVEN THAT:

1. A Wyoming Department of Environmental Quality (WDEQ) Permit to Construct application is now under review in the Sheridan Field office for the water and sewer systems to serve the WESCO Subdivision permit # 03-490. The information required to issue the permit by WDEQ was not complete when construction began on or before April 19, 2004. Still not received at that time was the required letter from the City of Sheridan to allow connection to the City's water and sewer systems per Wyoming Water Quality Rules and Regulations, Chapter 11, Section 6, (b) (iv).
2. An onsite investigation was made in the afternoon on April 21 at the WESCO site by Rick Estes from the WDEQ field office. This investigation was made by Mr. Estes following information obtained from the City of Sheridan Utilities Department that the contractor (Fletcher Construction) was installing sewer main. Mr Estes spoke with Shawn Warren (construction manager) and Bill Mentock, (consulting engineer), about the need to stop construction until a WDEQ permit was issued. Construction was not stopped following this discussion. Mr. Estes also made a site visit on April 23 and found that the contractor was continuing to install a sewer collection system. He again spoke to Mr. Warren onsite explaining that a WDEQ permit still had not been issued. Mr. Warren indicated that he would stop the contractor from installing pipe at that time.
3. WESCO is in violation of W.S. section 35-11-301 (a) (iii) and Wyoming Water Quality Rules and Regulations, Chapter 3, Section 4, (a) for construction of a sewage collection system without a WDEQ permit.
4. This Notice is being sent to you pursuant to W.S. section 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 25th day of May 2004.


John V. Corra, Director
Department of Environmental Quality


John F. Wagner, Administrator
Water Quality Division

If you have any questions concerning this matter, you may contact Rick J. Estes, PE, WDEQ/WQ Northeast District Senior Environmental Analyst at 672-6457.

JVC/JFW/RJE/bb/4-0506.ltr

c: Fletcher Construction/Contractor
Jackie Flowers, City of Sheridan Public Works Director
Laura Laughlin
IPS file