

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED
OCT 10 2012
Jim Ruby, Executive Secretary
Environmental Quality Council

In the Matter of the Notice of Violation)
and Order Issued to Wyoming Tire, Inc.) Docket No. 12-5206A

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S
RESPONSE TO PETITION

Respondent Wyoming Department of Environmental Quality (DEQ), pursuant to the Wyoming Environmental Quality Council's (EQC) September 11, 2012 Response Order, responds as follows to the request for hearing Wyoming Tire, Inc. (Wyoming Tire) filed in the above-captioned matter regarding Notice of Violation (NOV) & Order No. 5026-12 dated August 14, 2012. The referenced NOV & Order allege and address violations involving the large accumulation of scrap tires at the Wyoming Tire facility in Casper, Wyoming.

Wyoming Tire / Richard Ayers received the NOV & Order on August 28, 2012 and transmitted a letter to DEQ on September 6, 2012 stating "there are several issues [Mr. Ayers] wants to discuss with [DEQ]." On September 7, 2012 Wyoming Tire followed with a request for hearing on NOV & Order No. 5026-12. Respondent DEQ admits that it issued the referenced NOV & Order to Wyoming Tire, but cannot otherwise respond to Wyoming Tire's request for hearing, because the request does not contain any other allegations or identify grounds for contesting the NOV & Order which DEQ can admit or deny. However, DEQ generally denies any other allegations in the request for hearing, if any.

DATED this 10 day of October, 2012.



Mike Barrash (WY Bar #5-2310)
Sr. Assistant Attorney General
123 State Capitol Building
Cheyenne, Wyoming 82002
307-777-6946

CERTIFICATE OF SERVICE

This certifies that a true and correct copy of the foregoing WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S RESPONSE TO PETITION was served this 10 day of October, 2012, by United States mail, first class postage prepaid, and by facsimile transmission, addressed as follows:

Richard Ayers
Wyoming Tire, Inc.
6925 Cactus Lane
Casper, WY 82604
FAX: 307-473-5321


