



FILED

JUL 08 1988

BEFORE THE WYOMING ENVIRONMENTAL QUALITY COUNCIL

Terri A. Lorenzon, Adm. Aide
Environmental Quality Council

COME NOW William H. Dees and Dees Transportation, Incorporated, Protestants, and pursuant to §35-11-701(c)(ii), hereby request a hearing before the Environmental Quality Council upon the Notice of Violation served upon them on June 27, 1988. The address of William H. Dees is Box 446, Worland, Wyoming 82401, and the address of Dees Transportation, Incorporated is 113 Grace, Worland, Wyoming.

The grounds for seeking a hearing include, but are not necessarily limited to the following:

1. The aforesaid Notice of Violation relates to land owned by Dees Transportation Incorporated, and William Harold Dees has no ownership interest in the land owned by Dees Transportation, Incorporated, nor did he willfully or knowingly authorize, order or carry out a violation of any provision of the Wyoming Environmental Quality Act or any rule, regulation, standard or permit adopted thereunder.

2. Insofar as the aforesaid Notice of Violation requires a remedy of hydrocarbon pollution not brought about by William H. Dees or Dees Transportation, Incorporated, it represents an unconstitutional taking of property without due process of law.

3. The requirements of the aforesaid Notice of Violation are oppressive and burdensome and will force the bankruptcy of Dees Transportation, Incorporated and the economic ruin of William H. Dees.

4. The Water Quality Division is without authority to make all of the demands and requirements of the aforesaid Notice of Violation.

5. Some of the demands and requests of the aforesaid Notice of Violation require self-incrimination contrary to the 5th Amendment of the United States Constitution.

DONE this 1st day of July, 1988.

DAVIS, DONNELL, WORRALL & BANCROFT, P.C.

By: 

John W. Davis
Attorney for William H. Dees
and Dees Transportation, Inc.
P. O. Box 552
Worland, Wyoming 82401
(307) 347-9801