

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

DEC 20 1985

Terri A. Rasmussen, Adm. Aide
Environmental Quality Council

IN THE MATTER OF THE NOTICE)
OF VIOLATION AND ORDER)
ISSUED TO:)
Robert and Vanessa Dickinson)
Dubois Route, Box 2714)
Riverton, Wyoming 82501)

DOCKET NO. 1678-85 - A

First Wyoming Bank)
Attn: Jerry McGrath)
303 Main)
Lander, Wyoming 82520)

NOTICE OF VIOLATION

AND

ORDER

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. On or about February 15, 1985, personnel from the Water Quality Division of the Department of Environmental Quality conducted an on-site inspection of the Vista Grande Subdivision located in Riverton, Wyoming.
2. Land ownership within the subdivision is as follows: Petcolean Vanessa Dickinson Settlemire - Block 1, Lots 1 and 2; Block 2, Lots 1, 2, 3, 4, and 5; Block 3, Lots 1, 2, and 4; Block 4, Lots 1, 2, and 3. First Wyoming State Bank - Block 3, Lots 3, 5, and 6; Block 4, Lots 4, 5, and 6.
3. A single family residence owned by Robert and Vanessa Dickinson and several trailers of unknown ownership are located within Vista Grande Subdivision.
4. The wastewater from those residences within this subdivision is treated by septic tank and drainfield. On or about February 15, 1985, DEQ personnel observed water flowing from the vicinity of the drainfield. A sample of the water was taken and found to be domestic wastewater.
5. On June 3, 1980, the city of Riverton passed resolution no. 344 requiring these residences to connect to the city sewer. To date, connection to the city sewer has not been made.
6. The City of Riverton 201 Wastewater Facilities Plan, July 1980 and the Intergovernmental Contract Agreeing to Participate in the Riverton Sanitary Wastewater Treatment and Collection Facilities, March 1, 1983, requires Vista Grande Subdivision to connect to the central sewer system.
7. On June 28, 1985, personnel from the Water Quality Division of the Department of Environmental Quality again conducted an on-site inspection of the Vista Grande Subdivision. Water again was seen flowing from the vicinity of the drainfield. The water had a definite sewage smell.
8. On July 8, 1985, a Letter of Violation was sent to Robert and Vanessa Dickinson requesting a compliance schedule within 15 days. No response has been received.

9. W.S. 35-11-301(a)(i) and (ii) provides that no person, except when authorized by a permit issued pursuant to the provisions of the Wyoming Environmental Quality Act, shall cause, threaten, or allow the discharge of any pollution or wastes into waters of the state.
10. Any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit license or variance adopted thereunder is liable to a penalty of up to ten thousand dollars (\$10,000) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming; and
11. This notice is being sent to you pursuant to W.S. 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.

ORDER


WHEREFORE, IT IS HEREBY ORDERED THAT:

The existing drainfield be abandoned, the septic tank be pumped, caved in, and filled with gravel, and all current residences be connected to the city sewer no later than December 1, 1985.


THIS ORDER is final and binding unless, no later than ten (10) days after the day of its postmark, it is appealed by filing a written request for a hearing before the Environmental Quality Council. The request should be mailed to Randolph Wood, Executive Secretary, Environmental Quality Council, Herschler Building, Cheyenne, Wyoming 82002.

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

ORDERED this 10 day of October, 1985.



William L. Garland, Administrator
Water Quality Division
Department of Environmental Quality



Randolph Wood, Director
Department of Environmental Quality

PLEASE DIRECT ALL INQUIRIES to Steve Gerber, Engineering Area Evaluator, Department of Environmental Quality, Water Quality Division, 210 Lincoln, Lander, Wyoming 82520. Telephone (307) 332-3144.

cc: Weldon Caldbeck, Attorney General's Office
Bernie Scott, City of Riverton