

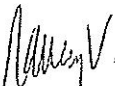
MEMORANDUM



TO: Todd Parfitt, Director
Department of Environmental Quality

FROM: Charles Plymale, Program Principal
Solid and Hazardous Waste Division

THROUGH: Luke Esch, Administrator
Solid and Hazardous Waste Division

Nancy Vehr, Administrator 
Air Quality Division

SUBJECT: Request to Issue Notice of Violation

DATE: January 9, 2017

On November 2, 2016, the Department received a complaint of Hopper Metals dumping municipal solid waste (MSW) at 483 Bonneville Road in Shoshoni, WY, and burning the waste. Hopper Metals operates a MSW collection business in Arapahoe, Shoshoni, and Lysite.

On November 3, 2016, the Department conducted an inspection at 483 Bonneville Road in Shoshoni, WY. This inspection revealed that two approximately 500 bbl tanks had been cut in half and were being used as containment to burn MSW at the time of the inspection. Hopper Metals dumps MSW after collection into these tanks and burns the MSW to reduce weight before transporting the waste to Fremont County landfills. The reduced weight of the burned waste makes it cheaper for Hopper Metals to dispose of the waste.

On November 14, 2016, the Department conducted a follow-up inspection of the unauthorized solid waste facility with the owner of Hopper Metals, Michael Dimick. The Department observed MSW burning during this inspection. Mr. Dimick stated that he was burning MSW to reduce the volume he had to haul and pay for at Fremont County landfills.

Mr. Dimick is aware of the Department's Solid Waste Regulations and the Environmental Quality Act. Mr. Dimick was a Fremont County Landfill Board Member for three years. In April 2016, the Department conducted a joint inspection of Hopper Metals with EPA because of illegal disposal activities that Mr. Dimick had been involved with on tribal lands. After that inspection, the Department notified Mr. Dimick that he could not burn MSW.

Mr. Dimick is also taking in tires to bale from retail facilities. During the above inspections, the Department observed over 1000 tires onsite. Neither Mr. Dimick nor Hopper Metals have a permit to manage solid waste at this location. Mr. Dimick had been notified during the above inspections, and during a November 2015 inspection, that he must get a solid waste permit in order to accept tires to bale for disposal.

The Department has repeatedly notified Hopper Metals and Mr. Dimick of the rules. Mr. Dimick receives economic benefit from his noncompliance. Due to the failure of the company to correct violations after multiple notification, the Solid and Hazardous Waste Division, and the Air Quality Division plan to seek a penalty or voluntary settlement with the violator.

Please contact Charles Plymale in Lander at 335-6951 or Bob Breuer in Casper at 473-3454 if you need further information.

Enclosures: Notice of Violation

CC: Bob Breuer, SHWD/I&C Compliance Program Manager
Lars Lone, AQD Compliance Program Manager
James LaRock, Wyoming Attorney General's Office