

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING**

IN THE MATTER OF THE APPEAL OF )  
THE NOTICE OF VIOLATION AND ORDER ) EQC Docket No. 15-5206A  
ISSUED TO COLLINS CAR WASH )

DEPARTMENT OF ENVIRONMENTAL QUALITY'S RESPONSE TO PETITIONER'S  
REQUEST FOR HEARING

Wyoming Department of Environmental Quality (DEQ), pursuant to the Wyoming Environmental Quality Council's (EQC) April 3, 2015, Response Order, hereby answers Petitioner Collins Car Wash's request for hearing.

**Answer**

1. Respondent DEQ admits that Petitioner has requested a contested case hearing on DEQ's Notice of Violation and Order in Docket No. 5539-15.
2. DEQ generally denies all other implied, unstated, or latent allegations within the request for a contested case hearing.

**Affirmative Defenses**

3. Petitioner has failed to comply with DEQ Rules of Practice and Procedure Chapter 1, Section 3(c)(iii) when it filed its March 24, 2015, letter requesting a contested case hearing. Accordingly, the EQC should dismiss the Petitioner's request for a contested case hearing as deficient unless the Petitioner can state in ordinary, but concise language, the facts upon which the request was made, as well as any statutes, rules, or orders that Petitioner alleges DEQ has violated.
4. DEQ reserves the right to assert any other defenses that may arise through the discovery of additional evidence.

### **Request for Scheduling Conference**

5. In the event this Petition is not dismissed, DEQ requests a scheduling conference to determine the issues to be addressed at the hearing, to schedule discovery and dispositive motions deadlines, and to set a hearing date.

DATED this 27th day of April, 2015.



Jeremy A. Gross (Bar No. 5-7110)  
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307-777-6946

## CERTIFICATE OF SERVICE

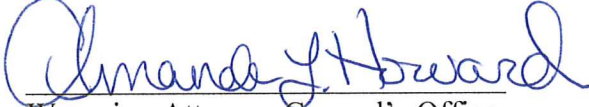
I hereby certify that on this 27th day of April, 2015, a true and correct copy of the foregoing *Department of Environmental Quality's Response to Petitioner's Request for Hearing* was served by electronic mail to the following;

Todd Parfitt  
Director, DEQ  
[todd.parfitt@wyo.gov](mailto:todd.parfitt@wyo.gov)

Luke Esch  
SHWD Administrator  
[luke.esch1@wyo.gov](mailto:luke.esch1@wyo.gov)

and by depositing copies of the same in the United States mail, postage prepaid, and addressed to the following:

Philip E. Abromats, P.C.  
750 U.S. Highway 14  
Greybull, WY 82426

  
Wyoming Attorney General's Office