

BEFORE THE

ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

IN THE MATTER OF THE)
NOTICE OF VIOLATION)
ISSUED TO:)
JEFF STUMPF) DOCKET NO. 4827-11
TATOOINE ELECTRONICS)
6520 HINESLEY ROAD)
CHEYENNE, WY 82001)

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Mr. Jeff Stumpf (Respondent) owns and operates the Tatoonie Electronics Recycling Systems, Inc. facility (Facility) located at 4390 I-80 Service Road, Burns, WY.
2. Correspondence dated February 25th, 2008, from the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division, Solid Waste Permitting and Corrective Action District 1 Supervisor, Ms. Maggie McKenzie, indicated the following:

“Regarding your inquiry about solid waste permitting requirements for relocating the operations of the Tatoonie Electronic Systems, Inc. electronic waste processing facility currently located at 6520 Hinesley Road in Cheyenne Wyoming, the relocation of the facility would be required to be authorized under a separate permit from that for the existing facility, as solid waste permits of this type are location-specific. The implications of this are that you would need to submit a permit application for the new processing facility and the application would be subject to the process for issuance of a new permit.”
3. On February 23, 2011, Wyoming Department of Environmental Quality inspector, Joel Frost (Natural Resource Analyst), conducted an inspection of the Facility. The inspection revealed that the storage, treatment and recycling of electronic waste (computers, monitors, televisions, miscellaneous electronics gear) was occurring at the Facility.
4. The Facility processes, stores, and recycles electronic waste (e-waste) and is subject to the Wyoming Solid Waste Rules and Regulations (SWRR), Chapter 6, permitting requirements for solid waste transfer, treatment and storage facilities.
5. As of April 22, 2011, a permit application for the Facility has not been submitted.
6. The Respondent is in violation of the following section of the Wyoming Environmental Quality Act and the SWRR:

Count 1: W.S. 35-11-502(a)(i) states: “No person, except when authorized under the permit system established pursuant to this act, shall: Locate, construct, operate or close a solid waste management facility”.

SWRR, Chapter 1, Section 1(f)(i), states: A permit or a one-time or emergency disposal authorization is required for the location, construction, operation or closure of any new or existing solid waste management facility as specified by Chapter 1, Section 5, or by the applicable chapter(s) of these rules and regulations. All facilities shall be located, designed, constructed, operated and closed in accordance with the permit or disposal authorization issued by the director or administrator.

The Respondent located, constructed and operated a solid waste management facility without a permit. The Respondent is, therefore, in violation of W.S. 35-11-502(a)(i) and SWRR, Chapter 1, Section 1(f)(i).

7. ANY PERSON who violates any provision of the Environmental Quality Act, or any rules, standard, permit, license, or variance adopted thereunder is liable to a penalty of up to ten thousand dollars (\$10,000) for each day of each 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
8. THIS NOTICE OF VIOLATION is being sent to you pursuant to Wyoming Statute 35-11-701(c) which requires that in any case of 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.

Signed this 26th day of April, 2011.



Carl Anderson, Ph.D.
Administrator
Solid & Hazardous Waste Division



John Corra
Director
Department of Environmental Quality