

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY REGION 8

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FILED
EPA REGION VIII
HEARING CLERK

Docket No. RCRA-08-2011-0001

IN THE MATTER OF:)
)
)

Hyland Enterprises, Inc.)
P.O. Box 2377)
Rawlins, Wyoming 82301,)

Respondent.)
_____)

**ADMINISTRATIVE ORDER
ON CONSENT**

I. JURISDICTION

The United States Environmental Protection Agency Region 8 (EPA) issues this administrative order on consent (Order) pursuant to its authority in section 7003 of the Solid Waste Disposal Act, as amended (commonly referred to as the Resource Conservation and Recovery Act, or RCRA), 42 U.S.C. § 6901 *et seq.* (the Act), 42 U.S.C. § 6973.

Respondent Hyland Enterprises, Inc. neither admits nor denies that EPA has either jurisdiction or the authority to issue an order pursuant to Section 7003 for the matters described herein, but agrees not to contest such jurisdiction or authority in any proceeding to enforce this Order, and agrees to conduct the work in the manner and timeframes described herein.

II. INTRODUCTION

- A. Hyland Enterprises, Inc. (Hyland, or Respondent) is a "person" within the meaning of section 1004(15) of the Act, 42 U.S.C. § 6903(15).
- B. Hyland has handled "solid waste" within the meaning of section 1004(27) of the Act, 42 U.S.C. § 6903(27) at a commercial waste water disposal facility, Sweetwater Disposal Commercial Oilfield Waste Disposal Facility (Facility), located six (6) miles southwest of Wamsutter, Wyoming in Sweetwater County, Wyoming.
- C. Based upon evidence received, EPA has determined that Hyland's handling of solid waste at the Facility may present an imminent and substantial endangerment to health or the environment within the meaning of section 7003 of the Act, 42 U.S.C. § 6973 (section 7003).
- D. Pursuant to Section 7003(c), EPA has notified Mr. Dennis Lamb, Wyoming Department of Environmental Quality (WDEQ) of this action.

- E. EPA takes this action pursuant to section 7003 having determined that the issuance of this Order is necessary to protect health or the environment.

III. PARTIES BOUND

- A. This Order shall apply to and be binding upon Hyland, its employees, agents, successors and assigns.
- B. Hyland shall provide a copy of this Order to all contractors, subcontractors, laboratories, and consultants retained to conduct or monitor any portion of the work performed pursuant to this Order within two (2) calendar days of the date of Hyland's receipt of this Order or date of retention, and shall condition all such contracts on compliance with the terms of this Order.
- C. Hyland shall give notice to EPA thirty (30) or more days prior to transfer of ownership or operation of the Facility.

IV. FINDINGS OF FACT

Hyland neither admits nor denies each of EPA's findings of fact set forth in this Part IV.

- A. The Facility's original permit was issued on November 25, 2002. Operation began in March 2005. The permit was last renewed on September 25, 2005.
- B. The Facility is comprised of: a tank battery with four (4) 1,000 barrel holding tanks, and two (2) 600 barrel heater treater tanks, two (2) 400 barrel condensate tanks, and three (3) synthetically-lined evaporation ponds.
- C. On September 26, 2005, the United States Environmental Protection Agency (EPA), United States Fish and Wildlife Service (FWS), and WDEQ representatives inspected the Facility. The representatives found no environmental conditions posing a threat(s) to the environment, particularly to migratory birds or wildlife.
- D. On June 23, 2008, EPA, FWS, and WDEQ representatives again inspected the Facility. During the inspection, the representatives found 40-50% surface oil coverage present on Pond 1, 25-30% coverage on Pond 2, and 5% coverage on Pond 3. In addition, the inspectors observed a white film on Ponds 2 and 3, which suggested that surfactants were present in the wastewater. During the inspection, the inspectors reminded the Facility operators the threats to wildlife, particularly migratory birds, posed by oil on the surface of pits, and explained EPA's RCRA 7003 authority and the FWS' Migratory Bird Treaty Act (MBTA) authority.
- E. FWS and EPA wrote separate letters to the Facility regarding the threats existing at the facility in letters dated August 1 and August 7, 2008.

- F. The EPA letter specifically informed Hyland that site conditions found during the June 23, 2008 inspection, including heavy surface oil coverage on all three ponds and the surfactant on Pond 3, posed a significant threat to wildlife, including migratory birds. EPA requested that Hyland complete appropriate environmental remediation, including removal of all surface oil from the three evaporation ponds before October 1, 2008. (October 1, 2008, is approximately the beginning of fall migration of migratory birds.)
- G. The FWS letter provided an overview of the environmental risks to migratory birds posed by oil field waste pits. The FWS Letter also explained the FWS's authority under the MBTA. FWS recommended that the Facility: (1) use closed containment systems; (2) keep oil off open ponds; (3) use effective and proven wildlife deterrents or exclusionary devices; (4) implement engineering controls to prevent oil discharge to ponds; and (5) dispose of oil field wastewater by deep well injection.
- H. On August 18, 2008, EPA, FWS, and WDEQ representatives inspected the Facility. The inspectors found 5%-10% oil surface coverage present on Pond 1, and 5% coverage on Pond 2. During the inspection Hyland representatives attributed the chronic heavy surface oil coverage on Ponds 1 and 2 to subsurface aerators that churned up oily sediment on the bottom of the ponds. Although Pond 3 had no oil surface coverage, there was a white surfactant buildup along its eastern shoreline.
- I. On June 8, 2009, EPA, FWS, and WDEQ representatives inspected the Facility. The inspectors found 10%-15% oil surface coverage present on Pond 1. Ponds 2 and 3 had no discernable crude oil or oil emulsion on their surfaces or shorelines. Pond 2 had white surfactant buildup in the northeast corner. The inspectors requested that the Facility's field supervisor send a letter to EPA, FWS, and WDEQ inspectors outlining the remedial actions undertaken from August 7, 2008 to June 8, 2009.
- J. On June 30, 2009, EPA received an undated letter from the Facility's field supervisor outlining the remedial actions undertaken from August 7, 2008 to June 8, 2009. The letter noted that Hyland: (1) skimmed all three ponds with Hydro vac units to remove surface contamination in August 2009; (2) skimmed surface of Pond 1 in November 2008; (3) did not skim Pond 1 in December 2008 because of surface ice; (4) decided to install permanent cleaning systems on Pond 1 because contamination was found in the Spring of 2009; and (5) started building a dewatering container through which to filter surface contamination.
- K. On September 20, 2010, EPA, USFWS, and WDEQ representatives inspected the Facility. The inspectors found 40% heavy surface oil coverage on Pond 1. A Facility representative informed the inspectors that the Facility had not used a vacuum truck to remove the heavy crude oil from the surface of Pond 1 for at least/over a year.

- L. Migratory bird mortalities were not found during any of the five inspections. No environmental concerns have been identified at the tank battery; and the secondary containment around the battery appeared adequate during each inspection.

V. CONCLUSIONS OF LAW

- A. Hyland is a "person" within the meaning of section 1004(15) of the Act, 42 U.S.C. § 6903(15).
- B. Wastes received by, and handled at, the Facility are "solid waste[s]" as defined in Section 1004(27) of the Act, 42 U.S.C. § 6903(27).
- C. Hyland has contributed and/or is contributing to the handling, storage, treatment, transportation and/or disposal of solid waste at the Facility within the meaning of Section 7003 of the Act, 42 U.S.C. § 6973.
- D. Hyland's past and present handling of solid waste at the Facility may present an imminent and substantial endangerment to health or the environment within the meaning of Section 7003 of the Act.

VI. ORDER

Based on the above, and on other information contained in the administrative record for this Order, EPA has determined that the activities required by this Order are necessary to protect health or the environment. EPA, therefore, hereby orders Hyland to perform the work specified in this Order in the manner and by the dates specified herein. All work undertaken pursuant to this Order shall be performed in a manner consistent with this Order, including all documents incorporated herein pursuant to this Order, and all applicable laws.

VII. WORK TO BE PERFORMED

Hyland agrees to conduct the work required by this Order on the schedules contained herein or in EPA-approved work plans.

A. FACILITY OPERATION

1. Hyland shall operate the Facility in full compliance with the EPA-approved operation and maintenance work plan developed and incorporated into this Order pursuant to section VII.C of this Order, and all other applicable requirements.
2. In a September 22, 2010 e-mail communication to WDEQ, Hyland informed WDEQ that a dump body filter trailer for cleaning the pond was ordered in March 2010, and was shipped to the Facility on September 22, 2010. If this equipment proves effective, Hyland will integrate the proper use of this equipment into the O&M Plan.

B. GENERAL WORK PROVISIONS

1. Hyland shall ensure that the quality of submittals or completed work is sufficient to warrant EPA review to determine whether the submittal or work meets the terms and conditions of this Order. Acceptability of submittals or work, however, does not necessarily imply that they will be approvable. Approval by EPA of submittals or work, however, establishes that those submittals were prepared, or work was completed, in a manner acceptable to EPA. Submittal of unacceptable documents required herein, or completion of work that is not acceptable is a violation of this Order, unless such submittal or work is properly completed by the original deadline set forth herein or in any EPA-approved work plan incorporated into this Order by reference. Upon request, EPA may, but is not required to, provide an extension of time for resubmittal.
2. Hyland shall designate a Project Coordinator and shall inform EPA in writing of the names and qualifications of the personnel and contractor(s) to be used in carrying out the work required by this Order. Hyland shall demonstrate that the personnel and contractor(s) possess all appropriate qualifications. This information can be provided by letters to the EPA contact, with copies to the other contacts listed in this Order, or in each work plan submitted pursuant to this Order.
3. After consultation with the FWS and WDEQ, and where appropriate, the public, EPA will notify Hyland in writing of any comments it may have on each submittal which must be incorporated into the submittal before it can be approved; or EPA will approve the document as submitted, or with EPA comments incorporated into the approved submittal.
4. If EPA affords Hyland an opportunity to incorporate EPA's comments, Hyland shall incorporate EPA's comments into the submittal and resubmit the document to EPA in compliance with the deadline set by EPA. This deadline will usually be seven (7) calendar days for minor changes and fourteen (14) calendar days for more substantive changes, unless the circumstances at the Facility may present an imminent endangerment (continuing, or new), in which case the period will be as short as EPA determines is reasonably necessary.
5. Upon receipt of the submittal with EPA comments incorporated, EPA will notify Hyland in writing of its approval, approval with modifications or disapproval. If approved with modifications, the EPA notification correspondence shall serve as an addendum to the final document and shall be considered part of the approved document.
6. Upon receipt of EPA's written approval or approval with modifications, Hyland shall implement the activities in accordance with the procedures and schedules contained in the submittal as approved.

7. If EPA concludes it must disapprove the document after Hyland has had the opportunity to incorporate EPA's comments, EPA may choose to draft a document which EPA will transmit to Hyland as the approved document. EPA may also choose to request that a court order Hyland to take action as is necessary to protect health or the environment at the Facility.

C. OPERATION AND MAINTENANCE WORK PLAN

1. Within thirty (30) calendar days of receipt of this Order as filed with the Regional Hearing Clerk, Respondent shall evaluate all corrective measures which may be appropriate at the Facility to protect wildlife, including migratory birds and threatened or endangered species, develop an operation and maintenance work plan and submit a draft O&M Plan to EPA for approval. The O&M Plan shall describe the operation and maintenance, and clean-up measures, including but not limited to those described below which will result in uninterrupted effectiveness of the measures chosen to protect the environment, particularly wildlife.
2. The operation and maintenance measures shall include at a minimum, but not be limited to descriptions of:
 - a) methods for permanently and continuously eliminating contact by wildlife with any oil at or on the surface of the ponds and throughout the Facility, including
 - i. equipment to be installed;
 - ii. operational requirements of all equipment;
 - iii. inspection and regular testing requirements to ensure uninterrupted effectiveness of such equipment, and structures;
 - iv. maintenance requirements, and schedules for completion of appropriate maintenance; and
 - v. facility waste and other materials management practices, such as retention time for wastewater prior to placement in ponds with unrestricted access by wildlife; and
 - b) methods, plans for, and timing of
 - i. identification and removal of oil from the surface of ponds with unrestricted access to wildlife whenever it is found; and
 - ii. clean up and disposal of soils or groundwater that may become contaminated with oil or other wastes managed at the facility.

D. EMERGENCY ACTION

1. In the event Hyland identifies a threat to human health or the environment at the Facility at any time during implementation of this Order, including workplans, which warrants more immediate action than pursuant to any requirement of this Order, Hyland shall orally notify the EPA Project Manager identified below not more than twenty-four (24) hours after

discovery and notify EPA, WDEQ, and USFWS in writing not more than five (5) days after such discovery, summarizing the nature, immediacy and magnitude of such threat(s). Threats to the environment shall include, but not be limited to, the discovery of any mortality of, or injury to any wildlife, and in particular to any animal subject to the Endangered Species Act or MBTA at the Facility.

2. Proper notification as required in this Order does not relieve Hyland of any other notification responsibility Hyland may have under any other law, including, but not limited to, Section 103 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Section 304 of the Emergency Planning and Community Right-to-Know Act, and the MBTA.
3. If EPA determines that immediate action is required, the EPA Project Manager may orally authorize and require Hyland to take actions to abate the threat(s).
4. If EPA, WDEQ, or FWS identifies such a threat at the Facility at any time during implementation of this Order, EPA will notify Hyland orally and provide subsequent notification in writing. If EPA determines that immediate action is required, the EPA Project Manager may orally authorize and require Hyland to take actions to abate the threat.
5. Any oral requirements made pursuant to this subsection shall be immediately incorporated into this Order by reference and are immediately enforceable, unless EPA does not provide to Hyland in writing, a description of such requirements within five (5) calendar days of oral notification.

E. ADDITIONAL WORK

If EPA determines that additional work is reasonably necessary, EPA will inform Hyland of such additional requirements in writing, including a written justification for requiring the specified additional work and, after an opportunity for consultation, Hyland shall submit a proposed work plan, if necessary, and conduct such work pursuant to EPA approval.

F. PUBLIC PARTICIPATION

Unless exigent circumstances exist at the time, EPA may make any other work plan or other document available to the public for review and comment for an appropriate period prior to taking final action on such document.

G. REPORTING

1. Hyland shall provide EPA, WDEQ, and FWS, with quarterly progress reports which shall include, at a minimum, the following information:

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- a) activities conducted at the Facility in the previous quarter;
 - b) photographic evidence of activities underway or completed in the previous quarter;
 - c) summaries of problems encountered during the previous quarter and how the problems were or are being addressed;
 - d) projections for work to be performed in the following quarter;
 - e) changes in work performed at the Facility from that projected in the previous quarterly progress report; and
 - f) projected work for the next reporting period.
2. Progress reports are to be submitted by the fifteenth calendar day of the month following each reporting period. The first quarterly progress report shall be due July 15, 2011, and shall address all activities from the effective date of this Order through the second calendar quarter of 2011 (April 1 - June 30). Thereafter, quarterly progress reports will be due for each calendar quarter by the fifteenth calendar day of the month following the calendar quarter.
 3. Due to typical weather conditions, Hyland does not expect to be able to begin work at the Facility until as early as possible in April 2011. Because the spring migration begins in the same period, Hyland shall provide telephonic or email reports to the EPA Project Manager each Monday in April 2011. Unless Hyland has identified a condition that must be addressed pursuant to section VII.D of this Order (Emergency Action), a detailed message left in Mr. Lamdin's voicemail system will meet the requirements of this paragraph. EPA will request any additional information from Hyland as circumstances warrant.
 4. The requirement for progress reports will become a twice-yearly reporting requirement upon request of Hyland to EPA after one (1) year of operation of the Facility in full compliance with the requirements of the approved O&M plan, or for other good cause shown. These progress reports also must be submitted by the fifteenth calendar day of the month following the six month reporting period. The six month periods will be determined at the time EPA agrees with Hyland's request under this paragraph.

VIII. CERTIFICATION

- A. Any notice, report, certification, data presentation, or other document submitted by Hyland pursuant to this Order which discusses, describes, demonstrates, or supports any finding or makes any representation concerning Hyland's compliance or noncompliance with any requirement of this Order shall be certified by a duly authorized representative of Hyland. A person is a "duly authorized representative" only if: (a) the authorization is made in writing; (b) the authorization specifies either an individual or position having responsibility for overall operation of the Facility or activity (a duly authorized representative may thus be either a named individual or any individual occupying a named position); and (c) the written authorization is submitted to the EPA Project Manager designated below.

- B. The certification shall be in the following form:

I certify that the information contained in or accompanying this [type of submission] is true, accurate, and complete. As to [the/those identified portion(s)] of this [type of submission] for which I cannot personally verify [its/their] accuracy, I certify under penalty of law that this [type of submission] and all attachments were prepared in accordance with procedures designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, or the immediate supervisor of such person(s), the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature :

Name :

Title :

IX. ACCESS

Hyland shall permit full reasonable access to EPA, WDEQ, and FWS, and their authorized representatives or agents, as may be necessary for the purposes of oversight of and implementation of this Order.

EPA will coordinate site visits with Hyland, WDEQ, and FWS to the extent possible.

X. GENERAL PROVISIONS

- A. All plans and documents submitted under any section of this Order shall, upon approval by EPA, be incorporated by reference into this Order as if set forth fully herein.
- B. Hyland shall obtain any permits or approvals which are necessary to perform work on or outside the Facility under applicable law and shall submit timely applications and requests for any such permits and approvals.
- C. Hyland shall employ sound scientific, engineering, and construction practices and principles under this Order.
- D. EPA will operate as transparently as possible with Hyland with regard to implementation of this Order, including communicating issues and problems EPA identifies or learns of as quickly as possible.

XI. AVAILABILITY AND RETENTION OF INFORMATION

- A. Hyland shall make available to EPA, and shall retain, during the pendency of this Order and for a period of three (3) years after its termination, all records and documents in its possession, custody, or control, or in the possession, custody or control of their contractors and subcontractors, which relate to the performance of this Order, including but not limited to documents reflecting the results of any sampling, tests, or other data or information generated or acquired by Hyland, or on Hyland's behalf, with respect to the implementation of this Order.
- B. After the document retention period, Hyland shall notify EPA at least ninety (90) calendar days prior to the destruction of any such documents and, upon request by EPA, shall deliver the documents to EPA. EPA will endeavor to respond as quickly as possible to such notice.

XII. CONFIDENTIALITY CLAIMS

Hyland may assert confidentiality claims pursuant to 40 C.F.R. Part 2. Information determined to be confidential by EPA will be afforded the protection specified in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is submitted to the EPA, the public may be given access to such information without further notice to Hyland.

XIII. AVAILABILITY OF ADMINISTRATIVE RECORD

The administrative record supporting this Order and other relevant documents shall be available for public review at the RCRA File Room, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado from 8 a.m. to 5 p.m., every Federal business day.

XIV. NOTICES, CONTACTS, AND EPA PROJECT MANAGER

- A. Whenever under the terms of this Order, notice is required to be given, and/or a report or other document is required to be forwarded by one party to another, or to specified interested persons, such correspondence shall be sent by regular mail or hand carried to the following individuals at the addresses specified below. The following EPA person is designated as the Project Manager for EPA for this Order.

Mr. Randy Lamdin
EPA Region 8, ENF-RC
1595 Wynkoop Street,
Denver, Colorado 80202-1129
(303) 312-6350

As to Hyland:

Hyland Enterprises, Inc.
3770 Puritan Way, Unit E
Frederick, CO 80516
Attention: Doug Freeman
(970) 274-2579

As to WDEQ:

Mr. Dennis Lamb
Wyoming Department of Environmental Quality
152 North Durbin Street, Suite 100
Casper, WY 82601
(307) 473 3452

As to USFWS:

Mr. Pedro Ramirez
Environmental Contaminants Specialist
U.S. Fish and Wildlife Service - Region 6
Wyoming Field Office
5353 Yellowstone Road - Suite 308A
Cheyenne, WY 82009
(307) 772-2374, ext. 236

- B. If the date for submission of any item or notification required by this Order falls upon a weekend or Federal holiday, the time period for submission of that item or notification is extended to the next Federal working day following the weekend or holiday.
- C. EPA and Hyland will notify each other and the other interested persons listed above of any change in EPA project manager or Hyland contact. EPA will notify Hyland of a change in contact information for the FWS and/or WDEQ.

XV. RESERVATION OF RIGHTS

- A. Nothing in this Order shall limit the information gathering, access, and response authority of the United States under any other applicable law, nor shall it limit the authority of EPA to issue additional orders to Hyland as may be necessary.
- B. This Order shall not be construed as a waiver or limitation of any rights, remedies, powers and/or authorities which EPA has under the Act, CERCLA or any other applicable law.

- C. EPA hereby reserves all of its statutory and regulatory powers, authorities, rights, remedies, both legal and equitable, which may pertain to Hyland's failure, if any, to comply with any applicable laws and regulations and with any of the requirements of this Order, including but not limited to, the right to disapprove of work performed by Hyland, to request that Hyland perform additional tasks, and the right to perform any portion of the work herein.
- D. Compliance by Hyland with the terms of this Order shall not relieve Hyland of its obligation to comply with the Act and/or any other applicable Federal, State, or other law, regulation, permit, or other requirement.
- E. Hyland hereby reserves all of its legal rights, claims and defenses not otherwise set forth in this Order. This Order is not to be construed as an admission by Hyland of any EPA statement of fact made herein.

XVI. FAILURE TO COMPLY

Pursuant to Section 7003(b) of the Act, 40 C.F.R. Part 19, and the Federal Register notice dated December 11, 2008 (73 Fed. Reg. 75340), any failure by Hyland to comply with this Order shall subject Hyland to civil penalties of not more than \$7,500.00 for each day of each failure to comply with this Order.

Prior to a deadline set forth in this Order or in any approved work plan, Hyland may request an extension of a specific deadline, and provide a substantial justification therefor. EPA will consider all reasonable requests that are supported with a substantial justification and inform Hyland of its determination at the earliest possible time.

XVII. OPPORTUNITY TO CONFER

Hyland has conferred informally with EPA concerning the terms and applicability of this Order. Hyland is satisfied that EPA has considered Hyland's position on the terms of this Order. The parties expect to confer and share information in good faith informally throughout the implementation of this Order.

XVIII. NOTICE OF NON-LIABILITY OF EPA FOR HYLAND ACTS OR OMISSIONS

EPA shall not be deemed a party to any contract involving Hyland and relating to activities at the Facility and shall not be liable for any claim or cause of action arising from or on account of any act or omission of Hyland, their employees, contractors, receivers, trustees, agents or assigns, in carrying out the activities required by this Order.

XIX. SEVERABILITY

If any provision or authority of this Order or the application of this Order to any party or circumstance is held by any judicial or administrative authority to be invalid, the application of such provision to other parties or circumstances and the remainder of this Order shall not be affected thereby and shall remain in full force.

XX. EFFECTIVE DATES

- A. This Order shall become effective two (2) Federal business days after the date this Order is filed with the Regional Hearing Clerk and mailed to Hyland, certified mail, return receipt requested.
- B. Modifications to this Order are effective on the date such modification is filed with the Regional Hearing Clerk, so long as Hyland is sent a copy by certified mail or is hand-delivered a copy of the modification simultaneously with, or as expeditiously as possible after the modification is filed with the Regional Hearing Clerk.

XXI. TERMINATION AND SATISFACTION

The provisions of this Order shall be deemed satisfied upon Hyland's receipt of written notice from EPA that Hyland has demonstrated, to the satisfaction of EPA, after consultation with FWS and WDEQ, that the terms of this Order, including work plan requirements, have been satisfactorily completed. This notice, however, shall not terminate Hyland's continuing obligations hereunder, including, but not limited to: record retention, reservations of rights, other claims, other applicable laws, and notice of non-liability of EPA.

IT IS SO ORDERED:

**ENVIRONMENTAL PROTECTION
AGENCY REGION 8**

Date: 1/31/11

By: Kelley Y. Land
Kelley Y. Land, Director
Technical Enforcement Program

Date: 1/31/2011

By: Michael T. Risner
Michael T. Risner, Director
Legal Enforcement Program

AND AGREED:

HYLAND ENTERPRISES, INC.

Date: 1/25/11

By: Doug Freeman
Doug Freeman
General Manager

Date: 1-24-11

By: Danny Armstrong
Danny Armstrong
Executive Vice President

IN THE MATTER OF: HYLAND ENTERPRISES, INC.
 RAWLINS, WYOMING

DOCKET NUMBER: RCRA-08-2011-0001

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and one copy of the ADMINISTRATIVE ORDER ON CONSENT dated February 3, 2011 was hand-carried to the Regional Hearing Clerk, EPA Region 8, 1595 Wynkoop Street Denver, Colorado 80202-1129, and that a true copy of the same was sent via Certified Mail, Postage Pre-Paid, to:

Hyland Enterprises, Inc.
3770 Puritan Way, Unit E
Frederick, CO 80516
Attention: Doug Freeman

2/3/2011
Date

Judith M. Mc Ternan
Judith M. Mc Ternan