

10-3206

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED
MAR 04 2010
Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
)
Pure Petroleum, LLC)
400 South Gillette Ave., Suite 106)
Gillette, WY 82717)
)
)
)
)
)
)

DOCKET NUMBER 4642-10

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Pure Petroleum, LLC (Pure) operates numerous Coal Bed Methane production facilities in Campbell County, Wyoming which are permitted to discharge through the Wyoming Pollution Discharge Elimination System (WYPDES).
2. During the month of February 2010 the Wyoming Department of Environmental Quality/Water Quality Division (DEQ) conducted compliance inspections of the following permitted facilities: WY0048194, WY0048151, WY0048186, WY0048208, and WY0048160. During these inspections proper and correct identification signage was missing at all the facilities associated with these listed permits. This is a violation of WYPDES permit conditions.
3. According to the WYPDES Permit and Authorization Fees database Pure is delinquent in payment of 27 WYPDES permits for a total amount due of \$2700.00. This Notice is requiring Pure to submit payment in full for the outstanding fees due. A list of all permits in violation can be provided upon request.
4. 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 (DEQ) shall cause a written notice to be issued and served upon the person alleged to be responsible;

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING


WHEREFORE IT IS HEREBY ORDERED THAT:

1. Within 30 days from the receipt of this Notice of Violation Pure will submit a comprehensive plan of action to correct the deficiencies of the permit requirements for DEQ review.
2. Within 60 days from the receipt of the Notice of Violation Pure will install all proper signage at all WYPDES permitted facilities operated by Pure and submit photographic evidence and a record of dates when the identification signs were installed.
3. Within 30 days from the receipt of the Notice of Violation Pure shall pay the full amount of \$2700.00 for delinquent fees owed for permits issued to Pure.

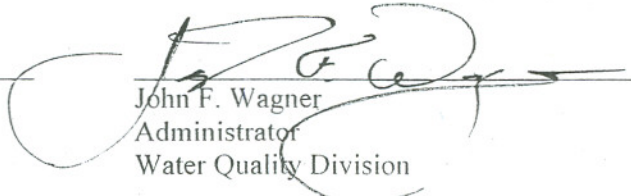
This ORDER is final unless it is appealed in writing within the ten (10) day time limit prescribed by W.S. 35-11-701(c). If a hearing is requested, the first hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of the Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

Ordered this 2 day of March, 2010.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Natural Resources Program Manager, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/KMW/bb/10-0168

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Bill DiRienzo ► Kevin M. Wells (PDF)
NOV Docket 4642-10
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)