

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

MAR 19 2010

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)

Wytex Ventures, LLC)
317 West Whitney)
Sheridan, WY 82801)

DOCKET NUMBER 4657-10

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Wytex Ventures, LLC (Wytex) 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 January 2010 the Wyoming Department of Environmental Quality/Water Quality Division (DEQ/WQD) conducted a compliance inspection of the following permitted facility WY0094145. During these inspections proper and correct identification signage was missing at all the outfalls associated with this permit. This is a violation of WYPDES permit conditions.
3. According to the WYPDES Permit and Authorization Fees database, Wytex is delinquent in payment of 13 WYPDES permits for a total amount due of \$1300.00. Payment of these outstanding fees is required by this Order. 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

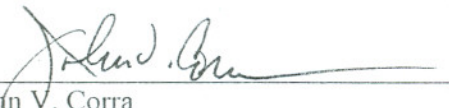
WHEREFORE IT IS HEREBY ORDERED THAT:


1. Within 60 days from the receipt of the Notice of Violation and Order, Wytex will install all proper signage at all WYPDES permitted facilities operated by Wytex and submit photographic evidence and a record of dates when the identification signs were installed.
2. Within 30 days from the receipt of the Notice of Violation Wytex shall pay the full amount of \$1300.00 for delinquent fees owed for permits issued to Wytex.

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 18 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 Resource 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/10-0214

cc: Lee Hanley, 8ENF-W-NP, EPA Region 8 (PDF)
Bill DiRienzo ► Kevin M. Wells (PDF)
NOV Docket 4657-10
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)