

11-3208

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUN 20 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

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

Mr. Dave Drabeck
Pure Petroleum, LLC
PO Box 26360
Gillette, Wyoming 82717

DOCKET NUMBER 4847-11

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Pure Petroleum, LLC (Pure Petroleum) operates a coal bed methane production facility in Campbell County, Wyoming which is permitted to discharge through the Wyoming Pollution Discharge Elimination System permit WY0039268.
2. Part I of the above referenced permit, under the Monitoring and Reporting Requirements requires that effluent monitoring results obtained during the previous six month(s) shall be summarized and reported on a Discharge Monitoring Report (DMR). The DMRs are to be submitted to the Department of Environmental Quality (DEQ) and postmarked no later than the 15th day of the second month following the completed reporting period (total of 45 days after the reporting period). To date the DEQ/Water Quality Division (WQD) has not received the Second Semester 2010 DMRs or the Annual 2010 DMR.
3. DEQ has issued two previous Letters of Violation (LOV) to Pure Petroleum for late submittal of DMR's. This continued late submittal of DMR's to the DEQ is a violation of permit requirements.
- 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 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

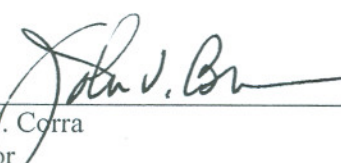
WHEREFORE IT IS HEREBY ORDERED THAT:

1. Pure Petroleum shall immediately submit the complete and accurate delinquent report to the WQD. This information shall be received by the WQD no later than 20 days from the date of this NOV and Order.
2. Within thirty (30) days of receipt of this Order, Pure Petroleum shall submit to the WQD a written description of actions taken to insure that future Discharge Monitoring Reports will be submitted on time.

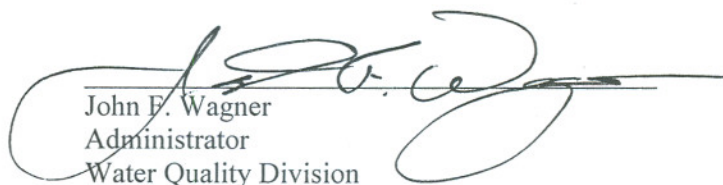
This ORDER is final unless, no later than ten (10) days after the date this notice is received; it is appealed by filing two written requests for a hearing before the Environmental Quality Council. If a hearing is requested, the first hearing petition shall be mailed to the Chairman, Wyoming Environmental 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 16 day of June, 2011.



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/5-0990.ltr

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Jim Eisenhauer, WYPDES Inspection Program Coordinator (PDF)
Bill DiRienzo ► Kevin M. Wells (PDF)
NOV Docket 4847-11
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)