



# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

CERTIFIED MAIL

June 12, 2006

Mr. Thomas E. Doll, P.E.  
CBM Project Manager  
Williams Production RMT Company  
300 North Works Avenue  
Gillette, Wyoming 82716

*RE: Notice of Violation, Docket Number 3890-06*

Dear Mr. Doll:

Enclosed is a copy of a Notice of Violation, Docket Number 3890-06, issued to Williams Production RMT Company (Williams) for the unauthorized discharge of coal bed methane (CBM) produced water into a water of the state. The violation was noted during an inspection on May 15, 2006 conducted by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD).

While neither the attached Notice of Violation nor this letter constitutes an order, this office strongly urges you to take action to immediately eliminate the violation as follows:

1. Williams should inform the WQD in writing of the steps taken to ensure that the unauthorized discharge of CBM produced water noted in NOV Docket Number 3890-06 does not happen again. This information should be received by the WQD on or before July 7, 2006.
2. Williams should ensure that all discharges to waters of the state are permitted in accordance with Chapter 2 of the Wyoming Water Quality Rules and Regulations (WWQRR) and applicable permit conditions.

*THIS SECTION INTENTIONALLY LEFT BLANK*

Page L-1

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-6937	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
--	---	---	---	--	---	---



Mr. Thomas E. Doll, P.E.

June 12, 2006

Page L- 2

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a penalty by Williams. If Williams wishes to pursue resolution of the previously noted violation through such an agreement, please contact Mr. Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, at (307) 777-8669 on or before July 7, 2006 to set up a meeting to discuss this matter.

  
\_\_\_\_\_  
John V. Corra  
Director  
Department of Environmental Quality

  
\_\_\_\_\_  
John F. Wagner  
Administrator  
Water Quality Division

JVC/JFW/BRB/bb/6-0494.LTR

Enclosure: Notice of Violation  
5/24/06 Inspection Report

cc: Colleen Gillespie, 8ENF-W-NP, EPA Region 8  
Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator  
James B. Eisenhauer, WYPDES Inspection Coordinator, Sheridan DEQ Office  
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft  
IPS (for scanning) ► Docket 3890-06  
Keith Guille, DEQ Public Information Officer (PDF File)  
DEQ Director

BEFORE THE  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

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

Williams Production RMT Company )  
300 North Works Avenue )  
Gillette, Wyoming 82716 )

DOCKET NUMBER 3890-06

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

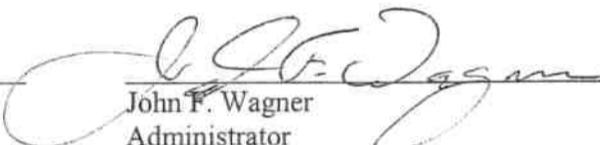
1. Williams Production RMT Company (Williams) is the owner/operator of the coal bed methane (CBM) Schoonover Road Federal facility located in the Sections 1, 8, 9, 11, 14, and 15, Township 48 North, Range 76 West (Sec. 1, 8, 9, 11, 14, and 15, T48N, R76W), Campbell County, Wyoming. WYPDES permit WY0050709 was issued to Williams for the Schoonover Road Federal facility on March 18, 2004 and expired on November 30, 2005. This permit was administratively extended by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) on November 28, 2005;
2. The new WYPDES permit application for permit WY0050709 was submitted at the same time as WYPDES modification applications WY0048321 and WY0046922. The purpose of the three permit applications was to allow CBM produced water from any well covered by the three (3) permits to be discharged through any permitted discharge point covered by the same permits (all wells to all outfalls);
3. On May 15, 2006, a WQD inspector met with Williams to discuss the release of water from the West Pearson Reservoir located in the SE ¼, NW ¼, Sec. 14, T48N, R76W. The West Pearson Reservoir has a capacity of approximately thirty-five (35) acre-feet. This reservoir receives CBM produced water from outfall 006 of WYPDES permit WY0050709. Approximately thirty-two (32) acre-feet of CBM produced water was released from the West Pearson Reservoir over several weeks to facilitate the installation of a pump in the reservoir for irrigation purposes. The West Pearson Reservoir is located on an unnamed tributary draw to Pearson Draw. All discharged water was contained in the Northwest Pearson Reservoir located approximately one (1) mile down stream of the West Pearson Reservoir and on the same unnamed tributary draw to Pearson Draw. The Northwest Pearson Reservoir, which has a capacity of eighty (80) acre-feet, is located in the SW ¼, NW ¼, Sec. 11, T48N, R76W. Williams recently notified the Wyoming State Engineers Office (SEO) of the completion of the Northwest Pearson Reservoir;
4. Part I.A.1. of WYPDES permit WY0050709 states the following: *"... Discharge of effluent from the reservoirs is not authorized unless runoff from a storm greater than a 2-year, 24-hour storm event exceeds reservoir capacity. ..."* As previously noted, the discharge of CBM produced water from the West Pearson Reservoir associated with outfall 006 of WYPDES permit WY0050709 was not due to a storm event, but to facilitate the instillation of an irrigation pump. Additionally, the use of the Northwest Pearson Reservoir immediately down stream of the West Person Reservoir is not noted within the permits or applications for WYPDES permits WY0046922, WY0048321, and WY0050709. Therefore, Williams is in violation of Part I.A.1. of WYPDES permit WY0050709;

5. 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;
6. Pursuant to Wyoming Statute 35-11-901(a), any person who violates, or any director, officer, or agent of a corporate permittee who willingly and knowingly authorizes, orders, or carries out the violation of any provision of the Environmental Quality Act (Act), or any rule, regulation, standard, or permit adopted hereunder or who violates any determination or order of the council pursuant to this act or any rule, regulation, standard, permit, license, or variance is subject to a penalty not to exceed ten thousand dollars and no cents (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction. The penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming. Nothing herein shall preclude the department from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules or other settlement conditions, as appropriate, in lieu of litigation.

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

Signed this 12 day of June, 2006.

  
\_\_\_\_\_  
John V. Corra  
Director  
Department of Environmental Quality

  
\_\_\_\_\_  
John F. Wagner  
Administrator  
Water Quality Division

**PLEASE DIRECT ALL INQUIRIES TO:** Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4<sup>th</sup> Floor West, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/BRB/bb/6-0494.NOV

cc: Colleen Gillespie, 8ENF-W-NP, EPA Region 8  
Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator  
James B. Eisenhauer, WYPDES Inspection Coordinator, Sheridan DEQ Office  
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft  
IPS (for scanning) ► Docket 3890-06  
Keith Guille, DEQ Public Information Officer (PDF File)  
DEQ Director