



# 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**

January 3, 2008

**Mr. Randall Maxey  
Devon Energy Production Company, LP  
20 North Broadway, Suite 1500  
Oklahoma City, OK 73102-8260**

***RE: REVISED-Notice of Violation, Docket Number 4190-07***

Dear Mr. Maxey:

Attached is a copy of a Notice of Violation, Docket Number 4190-07, issued to Devon Energy Production Company, LP (Devon) for recurring violations of WYPDES permit requirements. Devon has received Letters of Violation (LOVs) regarding permit violations and has also submitted exceedance notifications to the Wyoming Department of Environmental Quality Water Quality Division (WQD) as required.

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

1. Devon should maintain compliance with all requirements established in their WYPDES permits.
2. Devon should provide the WQD with an inventory of identified violations, actions to be taken to achieve compliance with permit requirements, and a compliance schedule for completion of each identified action. The report should be presented to the WQD during discussion to settle this Notice of Violation.

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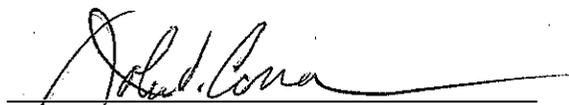
Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

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| ADMIN/OUTREACH<br>(307) 777-7937<br>FAX 777-3610 | ABANDONED MINES<br>(307) 777-6145<br>FAX 777-6462 | AIR QUALITY<br>(307) 777-7391<br>FAX 777-5616 | INDUSTRIAL SITING<br>(307) 777-7369<br>FAX 777-5973 | LAND QUALITY<br>(307) 777-7756<br>FAX 777-5864 | SOLID & HAZ. WASTE<br>(307) 777-7752<br>FAX 777-5973 | WATER QUALITY<br>(307) 777-7781<br>FAX 777-5973 |
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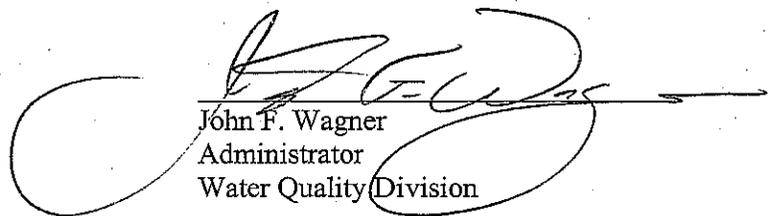
*Devon Energy Production Company, LP*  
*January 3, 2008*  
*Page 2*

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a stipulated penalty and agreement to an enforceable compliance schedule by Devon. If Devon wishes to pursue resolution of the previously noted violations through such an agreement, please contact Mr. Kevin M. Wells, WYPDES Compliance & Enforcement Coordinator at (307) 777-8669, or Mr. Brian K. Lovett, WYPDES Inspection & Compliance Supervisor at (307) 777-5630 on or before January 21, 2008 to set up a meeting to discuss this matter.



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John V. Corra  
Director  
Department of Environmental Quality



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John F. Wagner  
Administrator  
Water Quality Division

JVC/JFW/KMW/bb/7-1066

Enclosure: Notice of Violation

cc: Aaron Urdiales, 8ENF-W-NP, EPA Region 8 (PDF)  
Jim Eisenhauer, Sheridan DEQ Office (PDF)  
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft (copy to all via PDF)  
IPS (for scanning) ► Docket 4190-07  
Keith Guille, DEQ Public Information Officer (PDF)

**BEFORE THE**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

**STATE OF WYOMING**

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

**Devon Energy Production Company, LP  
20 North Broadway, Suite 1500  
Oklahoma City, OK 73102-8260**

**DOCKET NUMBER 4190-07**

**NOTICE OF VIOLATION**

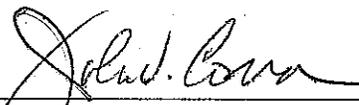
**NOTICE IS HEREBY GIVEN THAT:**

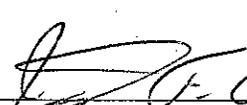
1. Devon Energy Production Company, Inc. (Devon) operates numerous coal bed methane gas production facilities in Wyoming. Devon holds numerous Wyoming Pollution Discharge Elimination System (WYPDES) permits in Wyoming. The WYPDES permits were issued by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD).
2. As of December 1, 2007 Devon has had numerous instances of recurring WYPDES permit violations. Violations were identified through exceedance notifications, Discharge Monitoring Reports (DMRs), and inspections. The DEQ has also sent 44 Letters of Violation (LOV's) to Devon since January 1, 2005.
3. Devon has had 116 permit limit exceedances reported on DMRs from January 2005 through June 2007.
4. Devon has 28 WYPDES permits that have had two or more recurring violations (five permits had two issues with two or more occurrences and three permits had three issues with two or more occurrences). The violations occurred under the following WYPDES permits: WY0037613 (twice), WY0038610, WY0039781, WY0040215, WY0040223 (twice), WY0040410 (three times), WY0040436, WY0040649 (three times), WY0041394 (twice), WY0046612 (three times), WY0047309 (twice), WY0047759, WY0047864, WY0048941, WY0049689, WY0050504, WY0051039 (twice) and WY0053911.
5. Devon had four self reported unpermitted discharges. The discharges were the result of administrative errors where Devon thought they had coverage under a permit but did not. The discharges happened between Jan 1, 2007 and December 31, 2007.
6. 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 on the person alleged to be responsible;
7. 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 DEQ from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules or other settlement conditions.

**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 3rd day of January 2008.

  
John V. Corra  
Director  
Department of Environmental Quality

  
John F. Wagner  
Administrator  
Water Quality Division

**PLEASE DIRECT ALL INQUIRIES TO:** Kevin M. Wells., 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/KMW/MB/bb/7-1066

cc: Aaron Urdiales, 8ENF-W-NP, EPA Region 8 (PDF)  
Jim Eisenhauer, Sheridan DEQ Office (PDF)  
Bill J. DiRienzo ► Brian K. Lovett ► Leah J. Krafft (copy to all via PDF)  
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Keith Guille, DEQ Public Information Officer (PDF file only)  
DEQ Director