



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

October 27, 2010

**Beren Corporation
Mr. Dana Wreath
PO Box 20380
Wichita, KS 67208**

RE: Notice of Violation, Docket Number 4752-10

Dear Mr. Wreath:

Attached is a copy of a Notice of Violation, Docket Number **4752-10**, issued to Beren Corporation. (Beren), by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) for failure to submit Discharge Monitoring Reports (DMRs) associated with WYPDES permits WY0000663, WY0026611, and WY0028126. Failure to DMRs is a violation of permit conditions. While neither the attached Notice of Violation nor this letter constitutes an order, this office strongly urges you to take action to correct the alleged violations as follows:

1. Beren should comply with WYPDES permit requirements for monitoring and reporting the discharges associated with the permitted facilities. The DMRs should be completed and received by the DEQ on July 28 and January 28 following each 6 month monitoring period for the life of the permit.
2. Immediately submit complete and accurate delinquent DMRs to the WQD. These DMRs should be received by the WQD no later than 20 days from the date of this NOV.

The WQD has the authority to resolve violations with an out-of-court settlement agreement through the payment of a penalty by Beren. If Beren wishes to pursue resolution of the previously noted violations through such an agreement, please contact Kevin M. Wells, WYPDES Natural Resource Program Manager, at (307) 777-8669 within 21 days of the date of this letter to set up a meeting to discuss this matter.

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

ADMIN/OUTREACH
(307) 777-7937
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 777-5973

LAND QUALITY
(307) 777-7756
FAX 777-5864

SOLID & HAZ. WASTE
(307) 777-7752
FAX 777-5973

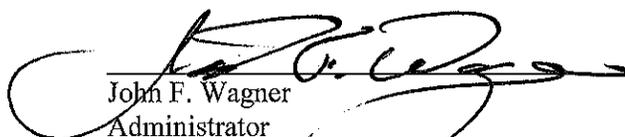
WATER QUALITY
(307) 777-7781
FAX 777-5973



Beren Corporation
October 21, 2010
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John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

Enclosure: Notice of Violation

JVC/JFW/KMW/bb/rm/10-0960

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Bill J. DiRienzo ► Kevin M. Wells (PDF)
IPS (for scanning) ► Docket **4752-10**
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:)**

**Beren Corporation)
PO Box 20380)
Wichita, KS 67208)**

DOCKET NUMBER 4752-10

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

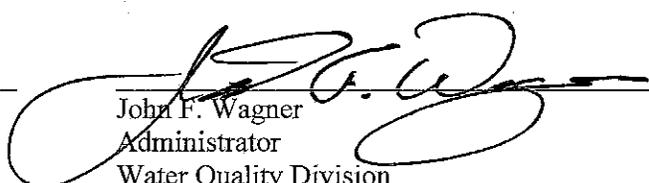
1. Beren Corporation (Beren) is the operator of numerous oil production facilities located in Natrona and Crook County, Wyoming. Authorization to discharge from these facilities has been granted under WYPDES permits WY0000663, WY0026611, and WY0028126.
2. Part I of the above referenced permits, under 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 28th day of the month following the completed reporting period. To date the DEQ/Water Quality Division (WQD) has not received the Second Semester and Annual 2009 DMRs or the First Semester 2010 DMR.
3. DEQ has issued 2 previous Letters of Violation (LOV) to Beren for non- submittal of DMR's. Non- submittal of DMR's 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;
5. 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 1 day of Nov, 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/rm/10-0960

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Bill J. DiRienzo ► Kevin M. Wells (PDF)
IPS (for scanning) ► Docket **4752-10**
Keith Guille, DEQ Public Information Officer (PDF File)
DEQ Director