BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO:

Mr. Don Scheck
Eblen Frank Syndicate
201 Highland Avenue
Newcastle, WY 82701

DOCKET NUMBER 4555-09

NOTICE OF COMPLIANCE

The Department of Environmental Quality (DEQ), Water Quality Division (WQD) issued Notice of Violation Docket Number 4555-09 on September 21, 2009 to Eblen Frank Syndicate (EFS). The NOV was issued for an unpermitted facility resulting in an unpermitted discharge. These are all violations of the Wyoming Environmental Quality Act (Act) and applicable Wyoming Water Quality Rules and Regulations (WWQRR).

The Notice of Violation required EFS to obtain coverage under a WYPDES discharge permit and meet the requirements associated with the permit. Based on reviewed information submitted EFS has complied with the corrective actions required for Docket Number 4555-09 and the DEQ finds that all terms have been satisfied. Because of the efforts of the company working diligently to obtain permit coverage and the historical background associated with the facility, DEQ feels there was no apparent environmental impact from a discharge and therefore the penalty was waived from this NOV.

The DEQ looks forward to working with EFS in a proactive manner and is available for future quarterly or semi-annual meetings to discuss compliance issues or concerns regarding WYPDES permit requirements.

Dated this 26th day of January, 2011.

Kevin M. Wells
WYPDES Natural Resource Program Manager
Water Quality Division
Wyoming DEQ

KMW/bb/11-0097

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
James B. Eisenhauer, Sheridan DEQ Office (PDF)
Bill J. DiRienzo ► Kevin M. Wells (PDF)
IPS (for scanning) ► Docket 4555-09
Keith Guille, DEQ Public Information Officer