

Matt Mead, Governor

Department of Environmental Quality

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



John Corra, Director

CERTIFIED MAIL

February 15, 2011

**Mr. T Greg Merrion
Merrion Oil and Gas Corporation
610 Reilly Avenue
Farmington, NM 87401-2634**

RE: Notice of Violation, Docket Number 4809-11

Dear Mr. Merrion:

Attached is a Notice of Violation, Docket Number 4809-11, issued to Merrion Oil and Gas Corporation (Merrion), by the Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD) for a violation of WYPDES permits WY0027537 and WY0027049. Failure to submit Discharge Monitoring Reports (DMRs) is a violation of the permit conditions. 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 alleged violations as follows:

1. Merrion should comply with WYPDES permit requirements for monitoring and reporting the discharge associated with the permitted facility. 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. Merrion should immediately submit the complete and accurate delinquent reports to the WQD. This information 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 Merrion. If Merrion 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.

John V. Corra
Director
Department of Environmental Quality

John F. Wagner
Administrator
Water Quality Division

Enclosure: Notice of Violation
JVC/JFW/KMW/bb/11-0159

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Bill J. DiRienzo ► Kevin M. Wells (PDF)
IPS (for scanning) ► Docket 4809-11
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:)**

**Merrion Oil and Gas Corporation)
610 Reilly Avenue)
Farmington, NM 87401-2634)**

DOCKET NUMBER 4809-11

NOTICE OF VIOLATION

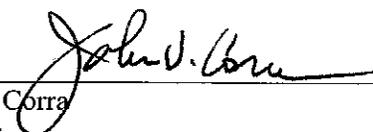
NOTICE IS HEREBY GIVEN THAT:

1. Merrion Oil and Gas Corporation (Merrion) is the operator of oil production facilities located in the NW ¼ of Section 9, in Township 36 North, Range 74 West and the SE ¼ of Section 5, Township 36 North, Range 74 West in Weston County, Wyoming. WYPDES permits WY0027049 and WY0027537 were renewed December 1, 2007.
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 28th day of the month following the completed reporting period. To date the DEQ/Water Quality Division (WQD) has not received the DMRs for 2nd semester 2010 for either permit.
3. DEQ has issued 2 previous Letters of Violation (LOV) to Merrion for failure to submit DMRs. Failure to submit DMRs and missing samples are violations 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.

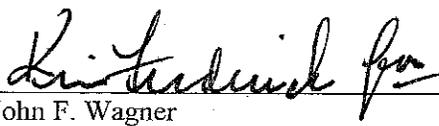
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NOTHING IN THIS NOTICE OF VIOLATION (NOV) shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement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

Signed this 15 day of Feb, 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/11-0159

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
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DEQ Director