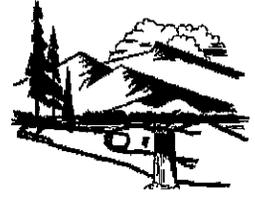




Department of Environmental Quality

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



Matthew H. Mead, Governor

John Corra, Director

CERTIFIED MAIL

June 14, 2011

Ms. Dana Fowler
MTG Operating
620 South Main Street
Buffalo, Wyoming 82834

RE: Notice of Violation and Order, Docket Number 4848-11

Dear Ms. Fowler:

Attached is a Notice of Violation and Order, Docket Number **4848-11**, for failing to submit Discharge Monitoring Reports, on time, as required by **WYPDES Permit WY0048097**.

ANY APPEALS TO THE ENVIRONMENTAL QUALITY COUNCIL FROM THE ATTACHED ORDER MUST BE MADE IN WRITING WITHIN THE TEN (10) DAY TIME LIMIT PRESCRIBED BY W.S. 35-11-701(c). Chapter I, Section 3 of the Department of Environmental Quality Rules of Practice and Procedure (<http://soswy.state.wy.us/RULES/5675.pdf>) sets forth the requirements for the initiation of appeal proceedings.

To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first petition shall be mailed to the Chairman of the Environmental Quality Council at Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition should be sent to John V. Corra, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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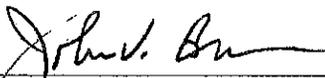
Herschler Building · 122 West 25th Street · Cheyenne, WY 82002 · <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5816	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
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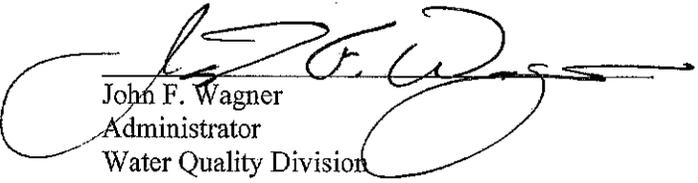


MTG Operating
June 14, 2011
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PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Natural Resource Program Manager at the Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/KMW/bb/11-0560

Enclosure: Notice of Violation and Order

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
James B. Eisenhauer, WYPDES Inspection Program Coordinator, Sheridan (PDF)
Bill DiRienzo ► Kevin M. Wells (PDF)
NOV Docket 4848-11
Environmental Quality Council
Keith Guille, DEQ Public Information Officer (PDF)

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

**IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)**

**MTG Operating)
620 South Main Street)
Buffalo, Wyoming 82834)**

DOCKET NUMBER 4848-11

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

1. MTG Operating (MTG) operates a coal bed methane production facility in Campbell County, Wyoming which is permitted to discharge through the Wyoming Pollution Discharge Elimination System permit WY0048097.
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 15th day of the second month following the completed reporting period (total of 45 days after the reporting period). To date the DEQ/Water Quality Division (WQD) has not received the Second Semester 2010 DMRs or the Annual 2010 DMR.
3. DEQ has issued two previous Letters of Violation (LOV) to MTG for late submittal of DMR's and effluent violations of the pH parameter. This continued late submittal of DMR's to the DEQ 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.

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL – STATE OF WYOMING

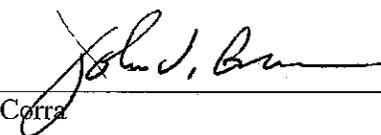
WHEREFORE IT IS HEREBY ORDERED THAT:

1. MTG shall immediately submit the complete and accurate delinquent report to the WQD. This information shall be received by the WQD no later than 20 days from the date of this NOV and Order.
2. Within thirty (30) days of receipt of this Order, MTG shall submit to the WQD a written description of actions taken to insure that future Discharge Monitoring Reports will be submitted on time.

This ORDER is final unless, no later than ten (10) days after the date this notice is received; it is appealed by filing two written requests for a hearing before the Environmental Quality Council. If a hearing is requested, the first hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of the Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

Ordered this 16 day of JUNE, 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/11-0560

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Jim Eisenhauer, WYPDES Inspection Program Coordinator (PDF)
Bill DiRienzo ► Kevin M. Wells (PDF)
NOV Docket 4848-11
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)