

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

APR 24 2007

IN THE MATTER OF THE APPEAL OF )  
DEVON ENERGY PRODUCTION )  
COMPANY, L.P. OF CONDITIONS IN )  
WYPDES PERMIT NO. WY0054259 )

Docket No. 07-3800

Terri A. Lorenzon, Director  
Environmental Quality Council

**WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S**  
**RESPONSE TO APPEAL BY DEVON ENERGY PRODUCTION COMPANY**

Respondent Wyoming Department of Environmental Quality (DEQ), Water Quality Division (WQD), pursuant to the Environmental Quality Council's (EQC or Council) April 13, 2007 Response Order, responds as follows to Petitioner Devon Energy Production Company, L.P.'s (Devon) appeal in the above-captioned matter.

1. The DEQ/WQD issued WYPDES Permit No. WY0054259 (the contested permit) on or about November 20, 2006, authorizing discharge of coal bed methane (CBM) produced water by Devon, subject to certain conditions.

2. Devon filed a Notice of Appeal and Petition for Hearing on January 19, 2007 contesting the permitted end of pipe effluent limits for EC, SAR and TDS as being arbitrary and capricious and overly or unnecessarily restrictive, and requesting the Council to modify those provisions of the contested permit "in a manner that enables Petitioner to reasonably comply."

3. DEQ/WQD responds that the permitted end of pipe effluent limits for EC, SAR and TDS are not arbitrary and capricious and overly or unnecessarily restrictive, and should be upheld.

DATED this 24th day of April, 2007.



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**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing **WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S RESPONSE TO APPEAL BY DEVON ENERGY PRODUCTION COMPANY** was served this 24th day of April, 2007 by United States mail, first class postage prepaid and by facsimile transmission, addressed as follows:

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