

FILED

JUN 14 2005

Terri A. Lorenzon, Director
Environmental Quality Council

BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

05-344
FILED

JUN 09 2005

Terri A. Lorenzon, Director
Environmental Quality Council

**IN THE MATTER OF THE NOTICE OF
VIOLATION & ORDER ISSUED TO:**

Mike Mercer
Merit Energy Company
13727 Noel Road, Suite 500
Dallas, Texas 75240

DOCKET NUMBER 3677-05

NOTICE OF COMPLIANCE

The Department of Environmental Quality (DEQ), Water Quality Division (WQD) issued a Notice of Violation and Order, Docket Number 3677-05 to the Merit Energy Company (Merit) on February 8, 2005. The Notice was issued for failing to pay WYPDES permit fees as required by W.S. 35-11-701(c).

The Notice of Violation and Order required Merit to pay all permit fees within 30 days of receiving the Notice, or provide documentation stating why the fees should not be paid. A review of DEQ files Pathfinder Mines, and not Merit, is the proper permit holder for the three (3) permits referenced in Docket 3677-05. Therefore this NOV should not have been issued. The DEQ apologizes for any problems this may have caused.

Dated this 16TH day of February, 2005.



Brian R. Bohlmann, P.E.
WYPDES Compliance Program Principal
Water Quality Division
Wyoming DEQ

cc: NOV Docket 3677-05, through Barb Barns (IPS)