

05-3429

FILED

JUN 09 2005

Terri A. Lorenzon, Director
Environmental Quality Council

BEFORE THE

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATE OF WYOMING

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

**James P. Frederick
ENCOAL Corporation
319 S Gillette Ave, Ste 260
Gillette, WY 82716**


DOCKET NUMBER 3657-05

NOTICE OF COMPLIANCE

The Department of Environmental Quality (DEQ), Water Quality Division (WQD) issued a Notice of Violation and Order, Docket Number 3657-05 to the ENCOAL Corporation (ENCOAL) on February 4, 2005. The Notice was issued for failing to pay WYPDES permit fees as required by W.S. 35-11-701(c). ENCOAL did not appeal the Notice of Violation and Order, and the Order became final.

The Notice of Violation and Order required ENCOAL to pay all permit fees within 30 days of receiving the Notice, or provide documentation stating why the fees should not be paid. ENCOAL has complied with the conditions in Docket Number 3657-05 by providing the appropriate documentation for not paying the fees and the DEQ finds that all terms of the Order have been satisfied. WYPDES Permit WY0041777 will go into the next public notice to be terminated.

Dated this 11TH day of March, 2005.



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

cc: NOV Docket 3657-05, through Barb Barns (IPS)