

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:**

**John Scheetz
Bentonite Performance Minerals
HCR 69, Box 112
Belle Fourche, SD 57717**


DOCKET NUMBER 3636-05

NOTICE OF COMPLIANCE

The Department of Environmental Quality (DEQ), Water Quality Division (WQD) issued a Notice of Violation and Order, Docket Number 3636-05 to the Bentonite Performance Minerals on January 24, 2005. The Notice was issued for failing to pay WYPDES permit fees as required by W.S. 35-11-701(c). Bentonite Performance Minerals did not appeal the Notice of Violation and Order, and the Order became final.

The Notice of Violation and Order required Bentonite Performance Minerals to pay all permit fees within 30 days of receiving the Notice, or provide documentation stating why the fees should not be paid. Bentonite Performance Minerals has complied with the conditions in Docket Number 3636-05 by paying all permit fees and the DEQ finds that all terms of the Order have been satisfied.

Dated this 16th day of February, 2005.


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

cc: NOV Docket 3636-05, through Barb Barns (IPS)