

FILED

JUN 09 2005

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY

Terri A. Lorenzon, Director
Environmental Quality Council

STATE OF WYOMING

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

**Robert E. Baumgartner
Baumgartner Properties
Route 1, PO Box 395
Yoder, Wyoming, 82244**


**DOCKET NUMBER 3635-05
3722-05**

NOTICE OF COMPLIANCE

The Department of Environmental Quality (DEQ), Water Quality Division (WQD) issued a Notice of Violation and Order, Docket Number **3635-05** to Baumgartner Properties (Baumgartner) on January 25, 2005. The Notice was issued for failing to pay WYPDES permit fees as required by W.S. 35-11-701(c). Baumgartner did not appeal the Notice of Violation and Order, and the Order became final.

The Notice of Violation and Order required Baumgartner to pay all permit fees within 30 days of receiving the Notice, or provide documentation stating why the fees should not be paid. Baumgartner has complied with the conditions in Docket Number **3635-05** by providing the appropriate documentation for not paying the fees and the DEQ finds that all terms of the Order have been satisfied. A second NOV, Docket Number **3722-05** was sent for not complying with NOV and Order **3635-05**. The second NOV, Docket Number **3722-05** will be waived because Baumgartner sent the appropriate documentation to terminate their old permit.

Dated this 5th day of April, 2005.


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

cc: NOV Docket **3635-05**, through Barb Barns (IPS)
NOV Docket **3722-05**, through Barb Barns (IPS)