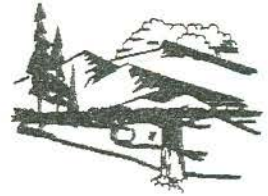




Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

07-3201

CERTIFIED MAIL

August 11, 2005

FILED

JAN 19 2007

Ms. Linda Guthrie
Devon Energy Production Company, LP
20 North Broadway, Suite 1500
Oklahoma City, OK 73102-8260

Terri A. Lorenzon, Director
Environmental Quality Council

RE: Notice of Violation and Order Docket Number 3788-05 - Failure to pay WYPDES permit fees

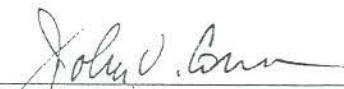
Dear Ms. Guthrie:

Enclosed is a copy of a Notice of Violation and Order, Docket Number 3788-05 issued to Devon Energy Production Company, LP. In March, 2005, Devon was mailed an invoice for fourteen (14) WYPDES permit fees for fiscal year 2004 which were inadvertently left off the original invoice issued on September 3, 2004. On April 13, 2005 the WQD received payment for five (5) of the permits. On June 14, 2005, Devon was mailed a second invoice for the WYPDES permit fees. As of August 8, 2005 Devon has failed to pay the remaining WYPDES permit fees in violation of W.S.35-11-312.

ANY APPEALS TO THE ENVIRONMENTAL QUALITY COUNCIL FROM THE ATTACHED ORDER MUST BE MADE IN WRITING WITHIN THE TEN (10) DAY TIME LIMIT PRESCRIBED BY W.S. 35-11-701(c). Chapter I, Section 3 of the enclosed Department of Environmental Quality Rules of Practice and Procedure sets forth the requirements for the initiation of appeal proceedings. You are urged to review all of the provisions of the attached Rules of Practice and Procedures as they relate to this action.

To appeal this Order and request a hearing, you must file two (2) copies of your written petition. The first petition shall be mailed to the Chairman of the Environmental Quality Council at Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition should be sent to John V. Corra, Director, Wyoming Department of Environmental Quality, Herschler Building, 4th West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

If you have any questions or comments concerning this matter, please contact Mr. Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator at (307)-777-8669.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/MB/bb/5-0897.LTR

Enclosure: Notice of Violation and Order, Rules of Practice and Procedure
cc: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator



BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)

Devon Energy Production Company, LP)
20 North Broadway, Suite 1500)
Oklahoma City, OK 73102-8260)

DOCKET NUMBER 3788-05

NOTICE OF VIOLATION

AND

ORDER

NOTICE IS HEREBY GIVEN THAT:

1. Devon Energy Production Company, LP (Devon) is the owner of WYPDES permits allowing them to discharge water to the surface waters of the State of Wyoming. In March, 2005, Devon was mailed an invoice for fourteen (14) WYPDES permit fees for fiscal year 2004 which were inadvertently left off the original invoice issued on September 3, 2004. On April 13, 2005 the WQD received payment for five (5) of the permits. On June 14, 2005, Devon was mailed a second invoice for WYPDES permit fees for permits WY0036331, WY0036323, WY0036340, WY0036366, WY0036358, WY0036382, WY0038148, WY0038491, and WY0038504. WYPDES permit fees totaling \$900.00 have not been paid for fiscal year 2004;
2. W.S. 35-11-312 states: "On July 1 of each year, the department shall assess an annual permit fee of one hundred dollars (\$100.00) for each national pollutant discharge elimination system permit and for each permit authorization held by any person under W.S. 35-11-301 during any portion of the preceding twelve (12) month period...";
3. By failing to pay all WYPDES permit fees Devon has violated W.S. 35-11-312;
4. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

ORDER

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL-STATE OF WYOMING

WHEREFORE IT IS HEREBY ORDERED THAT DEVON SHALL:


1. Within thirty (30) days of the receipt of this notice, Devon shall pay WYPDES permit fees totaling \$900.00.
2. Within thirty (30) days of the receipt of this notice, Devon shall provide documentation that the facility was no longer active as of March 4, 2004. Additionally, fill out and mail in the Notice of Termination (NOT) which can be downloaded at the following DEQ link <http://deq.state.wy.us/wqd/stormwater.asp>.

3. Payment to the DEQ shall be by check made payable to the Wyoming Department of Environmental Quality, Water Quality Division. The payment and/or NOT shall be sent to: Brian R. Bohlmann, P.E., WYPDES Compliance Program Principal, Department of Environmental Quality, Water Quality Division, Herschler Building, 4- West, 122 W 25th St, Cheyenne, Wyoming, 82002. The check or NOT should reference Docket Number 3788-05.
4. If item 1 or 2 is complied with, this will constitute full compliance with this order.

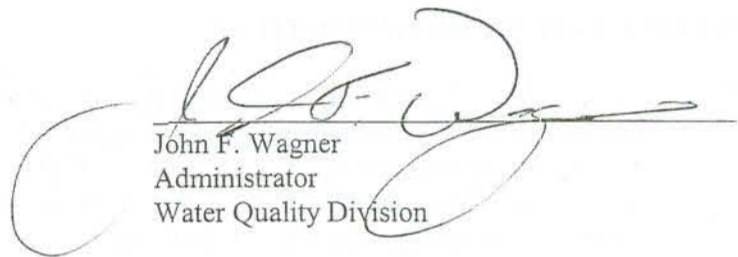
THIS ORDER is final unless, no later than ten (10) days after the date this Notice is received; it is appealed by filing two written petitions for a hearing before the Environmental Quality Council. If a hearing is requested, the first petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714, Herschler Building, 1st Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

NOTHING IN THIS ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Order be interpreted as being a condition precedent to any other enforcement action.

ORDERED this 12th day of AUGUST 2005.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

JVC/JFW/BRB/MB/bb/5-0897.LTR

cc: Brian R. Bohlmann, P.E., WYPDES Compliance & Enforcement Coordinator
Wyoming Environmental Quality Council
DEQ Director