

BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

FILED

JUN 05 2013

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

Jim Ruby, Executive Secretary
Environmental Quality Council

High Plains Gas, LLC.)
P.O. Box 1564)
Gillette, WY 82717)
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DOCKET NUMBER 5158-13

FILED

JAN 27 2014

NOTICE OF VIOLATION AND ORDER

NOTICE IS HEREBY GIVEN THAT:

Jim Ruby, Executive Secretary
Environmental Quality Council

1. High Plains Gas, LLC. (High Plains) is the owner and operator of numerous coal bed methane facilities in Wyoming, which are permitted to discharge coal bed methane produced water to various surface drainages and reservoirs through the Wyoming Pollution Discharge Elimination System (WYPDES). High Plains also owns and operates 35 facilities which are permitted to re-inject coal bed methane produced water into sub-surface aquifers through the Underground Injection Control (UIC) Program.
2. During calendar year 2012, High Plains held 45 active WYPDES permits. Those permits were initially issued to Pennaco Energy, Inc. (Pennaco) and subsequently transferred to "High Plains Gas, LLC." The acceptance of permit transfer forms contain High Plains' signatory's certification that he has reviewed the terms and conditions of each permit and High Plains assumes and agrees to be bound by all terms and conditions of the permit. The forms list High Plains' mailing address as P.O. Box 1564, Gillette, WY 82717, phone number as (307) 686-5030, and authorized contact as David T. Hill, Environmental Supervisor, at the same phone number.
3. Each of the 45 WYPDES permits held by High Plains during calendar year 2012 requires effluent monitoring for a number of chemical and physical parameters at varying frequencies. Part I, B of the WYPDES permits, at paragraph 2, "Reporting," requires High Plains to report the effluent monitoring results to the Water Quality Division (WQD) on a Discharge Monitoring Report (DMR) form on a semi-annual basis. High Plains failed to report any of the required monitoring under any active permit for the period between July 1, 2012 and December 31, 2012. The following permits are in violation of permit terms for failure to monitor and report:

WY0036501	WY0042471	WY0048496
WY0038113	WY0046485	WY0048500
WY0039055	WY0046787	WY0048518
WY0039519	WY0047210	WY0048593
WY0039616	WY0047406	WY0048631
WY0039632	WY0047422	WY0050156
WY0039659	WY0047481	WY0050211
WY0039934	WY0047554	WY0051012
WY0040045	WY0047881	WY0051021
WY0040797	WY0047899	WY0051543
WY0041823	WY0048178	WY0051951
WY0041858	WY0048216	WY0052281
WY0042056	WY0048224	WY0052361
WY0042064	WY0048275	WY0053694
WY0042102	WY0048461	WY0054429

4. Part II, B, of the WYPDES permits, at paragraph 15, "Permit Fees," requires High Plains to pay a \$100.00 annual fee for as long as a permit is active, regardless of whether discharge actually occurs. High Plains is delinquent in payment of its WYPDES permit annual fees for permits held in calendar years 2011 and 2012. The total amount past due is \$9,700.00, which does not include fees for 24 permits that are still in effect in 2013. The table below lists the permits and permit fees owed by High Plains for calendar years 2011 and 2012.

Permit Number Facility Fee Amount Description

Permit	Facility	2011 Fee	2012 Fee	Permit Termination Date
WY0039519	Felix Field CBM Area	\$100.00	\$100.00	12/31/2012
WY0039616	Railroad II-IV Projects	\$100.00	\$100.00	12/31/2012
WY0039659	Fitch - Middle Prong Wild Horse Creek	\$100.00	\$100.00	12/31/2012
WY0042102	Barker Draw NPDES CBM Project	\$100.00	\$100.00	12/31/2012
WY0050211	Fish Pond-Cates 35	\$100.00	\$100.00	12/31/2012
WY0051012	Wild Horse Creek-Kingsbury Project	\$100.00	\$100.00	12/31/2012
WY0052281	Hank Williams West Phase	\$100.00	\$100.00	12/31/2012
WY0052361	Middle Prong Federal	\$100.00	\$100.00	12/31/2012
WY0039055	LS Draw - LX Bar CBM Project	\$100.00	\$100.00	1/10/2013
WY0039632	Gibbon Draw CBM Wells	\$100.00	\$100.00	1/10/2013
WY0040045	POD #6 Innes Wells	\$100.00	\$100.00	1/10/2013
WY0046787	Walsh-Malli Option 2	\$100.00	\$100.00	1/10/2013
WY0047210	Beaver Creek-McBeth 18 Option	\$100.00	\$100.00	1/10/2013
WY0047406	Wild Horse Project	\$100.00	\$100.00	1/10/2013
WY0047481	Hank Williams Federal Phase II (A)	\$100.00	\$100.00	1/10/2013
WY0040819	Hank Williams Project PH II (C)	\$100.00		10/15/2011
WY0048216	Twenty Mile Creek-East Barker Draw Option 2	\$100.00	\$100.00	1/10/2013
WY0048224	Jamison Twenty Mile Option 2	\$100.00	\$100.00	1/10/2013
WY0048461	Hay Creek B-5	\$100.00	\$100.00	1/10/2013
WY0048496	N.P. Pumpkin Creek-Innes 2	\$100.00	\$100.00	1/10/2013
WY0048500	M.P. Pumpkin Creek-Innes A-2	\$100.00	\$100.00	1/10/2013
WY0048518	M.P. Pumpkin Creek-Innes B-2	\$100.00	\$100.00	1/10/2013
WY0051021	North Beaver Creek-McBeth 16	\$100.00	\$100.00	1/10/2013
WY0053694	Incline UIC	\$100.00	\$100.00	1/10/2013
WY0054429	Knudson 9 POD Option 2	\$100.00	\$100.00	1/10/2013
WY0036501	North Burlington Lake Prospect CBM Wells	\$100.00	\$100.00	In Effect
WY0038113	Stonepile CS State #1 CBM Wells	\$100.00	\$100.00	In Effect
WY0039934	Hank Williams Project CBM Wells	\$100.00	\$100.00	In Effect
WY0040797	Wild Horse Project PH III (B)	\$100.00	\$100.00	In Effect
WY0041823	Middle Prong Wild Horse Creek	\$100.00	\$100.00	In Effect
WY0041858	House Creek CBM--S. Prong Wild Horse Creek	\$100.00	\$100.00	In Effect
WY0042056	OK Creek Drainage CBM Project	\$100.00	\$100.00	In Effect
WY0042064	Cottonwood Creek Project	\$100.00	\$100.00	In Effect
WY0042471	Groves Ranch CBM Project	\$100.00	\$100.00	In Effect
WY0046485	Cates Draw Phase II	\$100.00	\$100.00	In Effect
WY0047422	Kuhn Ranch 2.11-North Cottonwood	\$100.00	\$100.00	In Effect
WY0047554	Eash Kuhn-Meadow Draw	\$100.00	\$100.00	In Effect
WY0047881	McBeth 8-Beaver Creek Option 2	\$100.00	\$100.00	In Effect
WY0047899	McBeth 8-North Beaver Creek Option 2	\$100.00	\$100.00	In Effect
WY0048178	Beaver Creek-Davis Option 2	\$100.00	\$100.00	In Effect
WY0048275	Kline Draw (A)	\$100.00	\$100.00	In Effect
WY0048593	Cates 35-Rossnecker Draw	\$100.00	\$100.00	In Effect
WY0048631	Beaver Creek-McBeth 18 Option 2	\$100.00	\$100.00	In Effect

Permit	Facility	2011 Fee	2012 Fee	Permit Termination Date
WY0050156	Deer Creek-Cates 35 Option 2	\$100.00	\$100.00	In Effect
WY0051543	Crazy Woman East Option 2	\$100.00	\$100.00	In Effect
WY0051951	Knudson 9 Option 2	\$100.00	\$100.00	In Effect
WYR102875	Northern Fairway Field Permit	\$100.00	\$100.00	In Effect
WYR102876	Central Fairway Field Permit	\$100.00	\$100.00	In Effect
WYR102877	Southern Fairway Field Permit	\$100.00	\$100.00	In Effect
		\$4,900.00	\$4,800.00	

Sum of Fees Amounts: \$9,700.00

5. During calendar year 2012, High Plains also held 35 active UIC permit authorizations issued under various General Permits by the UIC Program. Each authorization requires injectate monitoring for a number of chemical and physical parameters at varying frequencies. Each authorization also requires High Plains to perform periodic mechanical integrity testing. High Plains is in violation of Underground Injection Control General Permits 5C5-1 and 5C5-3, Parts IV(B)(1) and IV(B)(2) for failure to adhere to the monitoring and reporting requirements of the permit. High Plains failed to report any of the required monitoring due between February 14, 2012 and February 14, 2013. The following facilities are in violation of permit terms for failure to monitor and report:

Company	Facility	Facility Number
High Plains Gas, LLC	BARLOW FED 12-9-48-75I (WYS-005-273)	WYS-005-273
High Plains Gas, LLC	BARLOW FED 15-17-48-75I (WYS-005-270)	WYS-005-270
High Plains Gas, LLC	BARLOW FED 9-21-48-75I (WYS-005-272)	WYS-005-272
High Plains Gas, LLC	BARLOW STATE 1-16-48-75BG (WYS-005-00476)	WYS-005-00476
High Plains Gas, LLC	BARLOW STATE 2-16-438-75BG (WYS-005-00482)	WYS-005-00482
High Plains Gas, LLC	BARLOW STATE 3-16-48-75BG (WYS-005-00478)	WYS-005-00478
High Plains Gas, LLC	BARLOW STATE 6-16-48-75BG (WYS-005-00479)	WYS-005-00479
High Plains Gas, LLC	BARLOW STATE 7-16-48-75BG (WYS-005-00480)	WYS-005-00480
High Plains Gas, LLC	BARLOW STATE 8-16-48-75BG (WYS-005-00481)	WYS-005-00481
High Plains Gas, LLC	BLM FED 14-8-54-75I (WYS-005-262)	WYS-005-262
High Plains Gas, LLC	CRESWELL 11-7 CO (WYS-033-00237)	WYS-033-00237
High Plains Gas, LLC	CRESWELL 3-7 CO (WYS-033-00234)	WYS-033-00234
High Plains Gas, LLC	CRESWELL 5-7 CO (WYS-033-00235)	WYS-033-00235
High Plains Gas, LLC	CRESWELL 7-7 CO (WYS-033-00236)	WYS-033-00236
High Plains Gas, LLC	DUBE FED 10-17-54-75A (WYS-005-264)	WYS-005-264
High Plains Gas, LLC	FLOYD 3-7-52-75-WP (WYS-005-256)	WYS-005-256
High Plains Gas, LLC	GGM 14-8-52-77SR (WYS-019-164)	WYS-019-164
High Plains Gas, LLC	HOLLCROFT FED 6-2-52-77SR (WYS-019-167)	WYS-019-167
High Plains Gas, LLC	INKLINE INJECTION WELLS (WYS-005-130)	WYS-005-130
High Plains Gas, LLC	INNES 15-22-46-75 BG ARID (WYS-005-00543)	WYS-005-00543
High Plains Gas, LLC	INNES 5-34-46-75 BG (WYS-005-00545)	WYS-005-00545
High Plains Gas, LLC	IVY CREEK INJECTION WELL SR-1 (WYS-033-089)	WYS-033-089
High Plains Gas, LLC	IVY CREEK INJECTION WELL SR-3 (WYS-033-112)	WYS-033-112
High Plains Gas, LLC	IVY CREEK INJECTION WELL SR-4 (WYS-033-123)	WYS-033-123
High Plains Gas, LLC	KINGSBURY LAND 9-20-50-74I (WYS-005-00550)	WYS-005-00550
High Plains Gas, LLC	KUHN RANCH 12-24-53-77SR (WYS-033-162)	WYS-033-162
High Plains Gas, LLC	KUHN RANCH 16-26-53-77SR (WYS-019-168)	WYS-019-168
High Plains Gas, LLC	KUHN RANCH 18-27-53-77 A (WYS-019-163)	WYS-019-163
High Plains Gas, LLC	KUHN RANCH 3-14-53-77I (WYS-019-165)	WYS-019-165
High Plains Gas, LLC	LARAMORE 15-6 WP (WYS-005-253)	WYS-005-253
High Plains Gas, LLC	TIETJEN 7-33-54-77 (WYS-033-103)	WYS-033-103
High Plains Gas, LLC	WEST #12-28i-1 (WYS-005-165)	WYS-005-165
High Plains Gas, LLC	WEST #5-28i-1 (WYS-005-164)	WYS-005-164
High Plains Gas, LLC	WEST #6-28i-1 (WYS-005-153)	WYS-005-153
High Plains Gas, LLC	WEST #8-29i-1 (WYS-005-166)	WYS-005-166

6. High Plains held WYPDES Permit No. WY0051012 from 12/01/2010 until its expiration on 12/31/2012. The facilities covered in permit WY0051012 included 41 outfalls that could discharge to 31 on-channel reservoirs. High Plains was required to submit reclamation bonds to DEQ for each of the on-channel reservoirs identified in the permit. Part I, section C.2 of the permit prohibits discharges to any reservoir that has not been secured by the required WDEQ-approved bond. High Plains has failed to submit the required bonds on any reservoir identified in WY0051012. High Plains has discharged coal bed methane produced water from outfalls numbered 002, 004, 013, 015, 016, 018, 019, 021, 023, 025, and 029 at least intermittently between the period 12/01/2010 and the permit expiration on 12/31/2012. High Plains is in violation of permit WY0051012 for discharging to on-channel reservoirs that have not been properly bonded.
7. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of a 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 DEPARTMENT OF ENVIRONMENTAL QUALITY – STATE OF WYOMING

WHEREFORE IT IS HEREBY ORDERED THAT:

- I. High Plains shall comply with permit reporting requirements by submitting complete and accurate DMRs to the WQD for the following permits, also listed in NOV, Item 3 above, no later than 40 days after the date of this NOV and Order:

WY0036501	WY0042471	WY0048496
WY0038113	WY0046485	WY0048500
WY0039055	WY0046787	WY0048518
WY0039519	WY0047210	WY0048593
WY0039616	WY0047406	WY0048631
WY0039632	WY0047422	WY0050156
WY0039659	WY0047481	WY0050211
WY0039934	WY0047554	WY0051012
WY0040045	WY0047881	WY0051021
WY0040797	WY0047899	WY0051543
WY0041823	WY0048178	WY0051951
WY0041858	WY0048216	WY0052281
WY0042056	WY0048224	WY0052361
WY0042064	WY0048275	WY0053694
WY0042102	WY0048461	WY0054429

- II. High Plains shall submit the required unpaid permit fee amounts to WQD for the following permits, also listed in NOV, Item 4 above no later than 40 days after the date of this NOV and Order:

Permit	Facility	2011 Fee	2012 Fee	Permit Termination Date
WY0039519	Felix Field CBM Area	\$100.00	\$100.00	12/31/2012
WY0039616	Railroad II-IV Projects	\$100.00	\$100.00	12/31/2012
WY0039659	Fitch - Middle Prong Wild Horse Creek	\$100.00	\$100.00	12/31/2012
WY0042102	Barker Draw NPDES CBM Project	\$100.00	\$100.00	12/31/2012
WY0050211	Fish Pond-Cates 35	\$100.00	\$100.00	12/31/2012
WY0051012	Wild Horse Creek-Kingsbury Project	\$100.00	\$100.00	12/31/2012
WY0052281	Hank Williams West Phase	\$100.00	\$100.00	12/31/2012
WY0052361	Middle Prong Federal	\$100.00	\$100.00	12/31/2012

Permit	Facility	2011 Fee	2012 Fee	Permit Termination Date
WY0039055	LS Draw - LX Bar CBM Project	\$100.00	\$100.00	1/10/2013
WY0039632	Gibbon Draw CBM Wells	\$100.00	\$100.00	1/10/2013
WY0040045	POD #6 Innes Wells	\$100.00	\$100.00	1/10/2013
WY0046787	Walsh-Malli Option 2	\$100.00	\$100.00	1/10/2013
WY0047210	Beaver Creek-McBeth 18 Option	\$100.00	\$100.00	1/10/2013
WY0047406	Wild Horse Project	\$100.00	\$100.00	1/10/2013
WY0047481	Hank Williams Federal Phase II (A)	\$100.00	\$100.00	1/10/2013
WY0040819	Hank Williams Project PH II (C)	\$100.00		10/15/2011
WY0048216	Twenty Mile Creek-East Barker Draw Option 2	\$100.00	\$100.00	1/10/2013
WY0048224	Jamison Twenty Mile Option 2	\$100.00	\$100.00	1/10/2013
WY0048461	Hay Creek B-5	\$100.00	\$100.00	1/10/2013
WY0048496	N.P. Pumpkin Creek-Innes 2	\$100.00	\$100.00	1/10/2013
WY0048500	M.P. Pumpkin Creek-Innes A-2	\$100.00	\$100.00	1/10/2013
WY0048518	M.P. Pumpkin Creek-Innes B-2	\$100.00	\$100.00	1/10/2013
WY0051021	North Beaver Creek-McBeth 16	\$100.00	\$100.00	1/10/2013
WY0053694	Incline UIC	\$100.00	\$100.00	1/10/2013
WY0054429	Knudson 9 POD Option 2	\$100.00	\$100.00	1/10/2013
WY0036501	North Burlington Lake Prospect CBM Wells	\$100.00	\$100.00	In Effect
WY0038113	Stonepile CS State #1 CBM Wells	\$100.00	\$100.00	In Effect
WY0039934	Hank Williams Project CBM Wells	\$100.00	\$100.00	In Effect
WY0040797	Wild Horse Project PH III (B)	\$100.00	\$100.00	In Effect
WY0041823	Middle Prong Wild Horse Creek	\$100.00	\$100.00	In Effect
WY0041858	House Creek CBM--S. Prong Wild Horse Creek	\$100.00	\$100.00	In Effect
WY0042056	OK Creek Drainage CBM Project	\$100.00	\$100.00	In Effect
WY0042064	Cottonwood Creek Project	\$100.00	\$100.00	In Effect
WY0042471	Groves Ranch CBM Project	\$100.00	\$100.00	In Effect
WY0046485	Cates Draw Phase II	\$100.00	\$100.00	In Effect
WY0047422	Kuhn Ranch 2.11-North Cottonwood	\$100.00	\$100.00	In Effect
WY0047554	Eash Kuhn-Meadow Draw	\$100.00	\$100.00	In Effect
WY0047881	McBeth 8-Beaver Creek Option 2	\$100.00	\$100.00	In Effect
WY0047899	McBeth 8-North Beaver Creek Option 2	\$100.00	\$100.00	In Effect
WY0048178	Beaver Creek-Davis Option 2	\$100.00	\$100.00	In Effect
WY0048275	Kline Draw (A)	\$100.00	\$100.00	In Effect
WY0048593	Cates 35-Rossnecker Draw	\$100.00	\$100.00	In Effect
WY0048631	Beaver Creek-McBeth 18 Option 2	\$100.00	\$100.00	In Effect
WY0050156	Deer Creek-Cates 35 Option 2	\$100.00	\$100.00	In Effect
WY0051543	Crazy Woman East Option 2	\$100.00	\$100.00	In Effect
WY0051951	Knudson 9 Option 2	\$100.00	\$100.00	In Effect
WYR102875	Northern Fairway Field Permit	\$100.00	\$100.00	In Effect
WYR102876	Central Fairway Field Permit	\$100.00	\$100.00	In Effect
WYR102877	Southern Fairway Field Permit	\$100.00	\$100.00	In Effect
		\$4,900.00	\$4,800.00	

- III. High Plains shall comply with the permit reporting requirements by submitting complete and accurate monitor reports to the UIC Program using the Electronic Data Delivery (EDD) Reporting System for the following permits, also listed in NOV, Item 5 above, no later than 40 days after the date of this NOV and Order:

Company	Facility	Facility Number
High Plains Gas, LLC	BARLOW FED 12-9-48-75I (WYS-005-273)	WYS-005-273
High Plains Gas, LLC	BARLOW FED 15-17-48-75I (WYS-005-270)	WYS-005-270
High Plains Gas, LLC	BARLOW FED 9-21-48-75I (WYS-005-272)	WYS-005-272

Company	Facility	Facility Number
High Plains Gas, LLC	BARLOW STATE 1-16-48-75BG (WYS-005-00476)	WYS-005-00476
High Plains Gas, LLC	BARLOW STATE 2-16-438-75BG (WYS-005-00482)	WYS-005-00482
High Plains Gas, LLC	BARLOW STATE 3-16-48-75BG (WYS-005-00478)	WYS-005-00478
High Plains Gas, LLC	BARLOW STATE 6-16-48-75BG (WYS-005-00479)	WYS-005-00479
High Plains Gas, LLC	BARLOW STATE 7-16-48-75BG (WYS-005-00480)	WYS-005-00480
High Plains Gas, LLC	BARLOW STATE 8-16-48-75BG (WYS-005-00481)	WYS-005-00481
High Plains Gas, LLC	BLM FED 14-8-54-75I (WYS-005-262)	WYS-005-262
High Plains Gas, LLC	CRESWELL 11-7 CO (WYS-033-00237)	WYS-033-00237
High Plains Gas, LLC	CRESWELL 3-7 CO (WYS-033-00234)	WYS-033-00234
High Plains Gas, LLC	CRESWELL 5-7 CO (WYS-033-00235)	WYS-033-00235
High Plains Gas, LLC	CRESWELL 7-7 CO (WYS-033-00236)	WYS-033-00236
High Plains Gas, LLC	DUBE FED 10-17-54-75A (WYS-005-264)	WYS-005-264
High Plains Gas, LLC	FLOYD 3-7-52-75-WP (WYS-005-256)	WYS-005-256
High Plains Gas, LLC	GGM 14-8-52-77SR (WYS-019-164)	WYS-019-164
High Plains Gas, LLC	HOLLCROFT FED 6-2-52-77SR (WYS-019-167)	WYS-019-167
High Plains Gas, LLC	INKLINE INJECTION WELLS (WYS-005-130)	WYS-005-130
High Plains Gas, LLC	INNES 15-22-46-75 BG ARID (WYS-005-00543)	WYS-005-00543
High Plains Gas, LLC	INNES 5-34-46-75 BG (WYS-005-00545)	WYS-005-00545
High Plains Gas, LLC	IVY CREEK INJECTION WELL SR-1 (WYS-033-089)	WYS-033-089
High Plains Gas, LLC	IVY CREEK INJECTION WELL SR-3 (WYS-033-112)	WYS-033-112
High Plains Gas, LLC	IVY CREEK INJECTION WELL SR-4 (WYS-033-123)	WYS-033-123
High Plains Gas, LLC	KINGSBURY LAND 9-20-50-74I (WYS-005-00550)	WYS-005-00550
High Plains Gas, LLC	KUHN RANCH 12-24-53-77SR (WYS-033-162)	WYS-033-162
High Plains Gas, LLC	KUHN RANCH 16-26-53-77SR (WYS-019-168)	WYS-019-168
High Plains Gas, LLC	KUHN RANCH 18-27-53-77 A (WYS-019-163)	WYS-019-163
High Plains Gas, LLC	KUHN RANCH 3-14-53-77I (WYS-019-165)	WYS-019-165
High Plains Gas, LLC	LARAMORE 15-6 WP (WYS-005-253)	WYS-005-253
High Plains Gas, LLC	TIETJEN 7-33-54-77 (WYS-033-103)	WYS-033-103
High Plains Gas, LLC	WEST #12-28i-1 (WYS-005-165)	WYS-005-165
High Plains Gas, LLC	WEST #5-28i-1 (WYS-005-164)	WYS-005-164
High Plains Gas, LLC	WEST #6-28i-1 (WYS-005-153)	WYS-005-153
High Plains Gas, LLC	WEST #8-29i-1 (WYS-005-166)	WYS-005-166

IV. High Plains has an obligation to reclaim reservoirs associated with discharges of coal bed methane produced water upon permanent cessation of the coal bed produced water discharge. High Plains has submitted bonds to DEQ to ensure the proper reclamation of a total of 143 reservoirs under various WYPDES permits. Of those 143 reservoirs, 78 are associated with permits that have either expired or have been otherwise terminated and are therefore, due to be reclaimed. The following list identifies the expired and terminated permits and the bonded reservoirs associated with each:

WYPermitNumber	OutfallNumber	ReservoirName	PermitStatus
WY0039055	002	CMS LS Draw Project Sec 28A	Terminated
WY0039055	002	CMS LS Draw Project Sec 28B	Terminated
WY0039055	003	CMS LS Draw Project Sec 21B	Terminated
WY0039055	007	Goodrich	Terminated
WY0039519	002	South Felix	Expired
WY0039519	004	Darlene's	Expired
WY0039519	005	Fred's	Expired
WY0039519	007	Tom	Expired
WY0039519	008	ENL of Nelson	Expired
WY0039519	009	Zoe	Expired

WYPermitNumber	OutfallNumber	ReservoirName	PermitStatus
WY0039519	010	Willy	Expired
WY0039519	013	Shirley	Expired
WY0039519	014	Lee #2	Expired
WY0039519	022	Toni	Expired
WY0039519	023	Dannine	Expired
WY0039519	024	Brandon	Expired
WY0039519	025	Henry Melvin Edwards #4	Expired
WY0039519	028	Red Hill	Expired
WY0039519	034	Tyrell	Expired
WY0039519	035	ENL of Ryan	Expired
WY0039519	036	Brad	Expired
WY0039519	037	Carey	Expired
WY0039616	006	ENL of CMS Railroad	Expired
WY0039616	015	Boon	Expired
WY0039616	020	Lonesome	Expired
WY0039616	023	Mighty Mouse	Expired
WY0039616	027	Goldie	Expired
WY0039616	050	Wimpy	Expired
WY0039632	003	Ashley	Terminated
WY0039632	003	Gibbons #1	Terminated
WY0039632	004	Don's Pond	Terminated
WY0039632	005	Reginald	Terminated
WY0039632	008	R.D.	Terminated
WY0039632	009	Mildred	Terminated
WY0039632	014	Chad	Terminated
WY0039632	015	Parnell #2	Terminated
WY0039632	016	Jake's Corner	Terminated
WY0039632	017	Babe	Terminated
WY0039632	019	Early Parnell	Terminated
WY0039632	020	Todd	Terminated
WY0039632	021	Shelly	Terminated
WY0039632	022	Ty	Terminated
WY0039632	024	Bonnie	Terminated
WY0039632	024	Flat	Terminated
WY0039632	024	Jan's Pond	Terminated
WY0039632	024	Pointed Hill	Terminated
WY0039632	024	Sorenson #1	Terminated
WY0039632	024	Steve	Terminated
WY0039632	025	Bob	Terminated
WY0039632	025	Charles	Terminated
WY0039659	006	West Joslyn #1	Expired
WY0042102	001	Mary Daly	Expired
WY0042102	003	John T. Daly, Jr.	Expired
WY0042102	003	Leonard Hartman	Expired
WY0042102	007	Andrew W. Lobner	Expired
WY0042102	008	James H. Daly	Expired
WY0042102	009	John T. Daly	Expired
WY0042102	010	Lower Barker	Expired
WY0042102	011	Olive B. Faulkerson	Expired
WY0042102	012	Dry Lake Bed	Expired
WY0046051	005	Gibbs #2	Terminated

WYPermitNumber	OutfallNumber	ReservoirName	PermitStatus
WY0046787	002	Walsh #3	Terminated
WY0048216	002	Louise J. Daly #9	Terminated
WY0048224	001	Earl S. Gupton #6	Terminated
WY0048461	001	Owen R. Goergke	Terminated
WY0048461	003	Wendy	Terminated
WY0048461	005	Henry Melvin Edwards #1	Terminated
WY0048461	006	Foxy	Terminated
WY0048518	002	Wanda #1	Terminated
WY0051021	001	School Section #2	Terminated
WY0052281	001	Hank Williams reservoir	Expired
WY0052281	002	East Arvada	Expired
WY0052281	003	Almost Reservoir	Expired
WY0053694	001	Injection	Terminated
WY0054429	010	PK9-17	Terminated
WY0054429	015	Jewell	Terminated
WY0054429	017	PK9-27	Terminated
WY0054429	023	PK9-29	Terminated

No later than 70 days after the date of this NOV and Order High Plains shall submit to DEQ/WQD for approval a plan for the reclamation of the 78 reservoirs listed above. The plan should include measures that conform to the specifications contained in sections 5 and 7 of the "Implementation Guidance for Reclamation and Bonding of On-Channel Reservoirs that store Coal Bed Natural Gas Produced Water (2009 revision)". The plan shall also include a schedule that provides for the timely implementation of all reclamation activities.

- V. The reclamation plan and schedule of implementation required under Order, item IV, above shall also include provisions for the reclamation of all un-bonded reservoirs under permit WY0051012. The following list identifies the reservoirs under permit WY0051012:

Permit Number	Outfall Number	Reservoir Name	Permit Status
WY0051012	001	S Bar #34	Expired
WY0051012	002	S Bar #27	Expired
WY0051012	003	Kingsbury #10	Expired
WY0051012	004	S Bar #30	Expired
WY0051012	005	S Bar #23	Expired
WY0051012	006	S Bar #29	Expired
WY0051012	007	S Bar #28	Expired
WY0051012	008	Kingsbury #6	Expired
WY0051012	009	Kingsbury #9	Expired
WY0051012	010	Kingsbury #7	Expired
WY0051012	011	Watsabaugh	Expired
WY0051012	012	Stone	Expired
WY0051012	013	Kingsbury #2	Expired
WY0051012	014	Kingsbury #4	Expired
WY0051012	015	Gustafson #1	Expired
WY0051012	018	Gustafson #2	Expired
WY0051012	019	Lori Lynn	Expired
WY0051012	020	Three Ponies	Expired
WY0051012	021	S Bar #25	Expired
WY0051012	022	S Bar #24	Expired
WY0051012	024	S Bar #21	Expired
WY0051012	026	S Bar #33	Expired


Permit Number	Outfall Number	Reservoir Name	Permit Status
WY0051012	031	Kingsbury #8	Expired
WY0051012	032	Tommy's	Expired
WY0051012	033	Kingsbury #1	Expired
WY0051012	034	Boyken #2	Expired
WY0051012	035	Kingsbury #5	Expired
WY0051012	037	Force #6	Expired
WY0051012	038	Force #7	Expired
WY0051012	039	Force #5	Expired
WY0051012	040	Force #3	Expired
WY0051012	041	Kingsbury #11	Expired

Failure to fully comply with this ORDER may result in permit termination, bond forfeiture, and civil penalties.

This ORDER is final unless, not later than ten (10) days after the date this notice is served; the person or persons named herein request, in writing, a hearing before the Environmental Quality Council. If a hearing is requested, the hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council, Room 1714 Herschler Building, 1st Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. A copy of the petition shall be mailed to the Director, Wyoming Department of Environmental Quality, Herschler Building, 4th Floor West, 122 West 25th St., Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail, return receipt requested.

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

Ordered this 5th day of June, 2013



Todd Parfitt
Director
Department of Environmental Quality



Kevin Frederick
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Kevin M. Wells, WYPDES Natural Resource Program Supervisor, Wyoming Department of Environmental Quality, Water Quality Division, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-8669.

TP/KF/KMW/bb/13-0472

cc: David Gwisdalla, 8ENF-W-NP, EPA Region 8 (PDF)
Bill DiRienzo ► Kevin M. Wells (PDF)
NOV Docket 5158-13
Environmental Quality Council
Director, DEQ
Keith Guille, DEQ Public Information Office (PDF)