

ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF

TAURUS EXPLORATION, INC.

ORDER NO. 89-082-WP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, ALA. CODE §§ 22-22A-1 through 22-22A-16 (1975 and 1988 Cum. Supp.), the Alabama Water Pollution Control Act, ALA. CODE §§ 22-22-1 through 22-22-14 (1975 and 1988 Cum. Supp.), the Alabama Department of Environmental Management (hereinafter "the Department"), the Department makes the following FINDINGS OF FACT:

1. Taurus Exploration, Inc. (hereinafter "the Operator") operates a coal bed methane operation in Jefferson County, Alabama.

2. ALA. CODE § 22-22-9(i)(3) (1988 Cum. Supp.) provides that "every person, prior to discharging any new or increased pollution into any waters of the state, shall apply to the Department in writing for a permit and must obtain such permit before discharging such pollution.

3. On February 9, 1989 the Operator discharged completion fluids and other wastes directly into an unnamed tributary of Mud Creek, a water of the state, as demonstrated below:

ISSUED 5/25/89	SERVED 5/30/89
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	Cl- mg/l	TSS mg/l	TDS mg/l	Turbidity n.u.	Fe mg/l	Mn mg/l
sump discharge	14.0	105	1,333.0	120	6.7	.12
creek upstream	3.5	2	100	5	.27	.05
creek downstream	5.5	34	683	46	2.21	.05
surface runoff	22.5	178	444	88	4.41	.20

4. The Operator did not have a permit for this discharge.

5. This discharge was preventable, and was caused by the Operator's failure to exercise due care in the construction and maintenance of the pit and drill pad.

6. The Operator made belated efforts to abate this discharge when alternatives to eliminate the discharge were immediately available.

7. The Operator realized an economic benefit by virtue of this discharge.

8. The Operator has the ability to pay a civil penalty.

ORDER

Based upon the foregoing FINDINGS OF FACT and pursuant to ALA. CODE §§ 22-22A-5(10), 22-22-5(18)(a), 22-22-9(c), 22-22-9(i), and 22-22-9(k) (1975 and 1988 Cum. Supp.), it is hereby ORDERED:

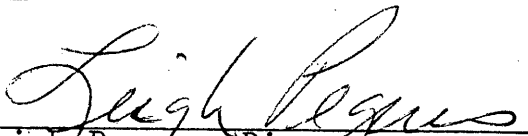
A. That not later than 30 days after the receipt of notice of this Order, the Operator will pay to the Department a civil penalty of \$5,000.00.

B. That the Operator will desist from future unpermitted discharges.

C. That the failure to comply with the provisions of this Order shall constitute cause for commencement of legal action for the recovery of civil penalties, criminal fines, or other appropriate relief by the Department or others against the Permittee.

D. That the issuance of this Order does not preclude the Department or others from seeking criminal fines or other appropriate sanctions or relief against the Permittee for violations stated herein.

ORDERED and ISSUED this 25th day of May, 1989.

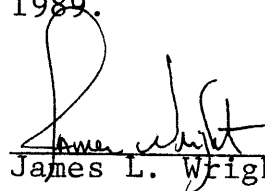

Leigh Pegues, Director
Alabama Department of
Environmental Management
1751 Cong. W. L. Dickinson Drive
Montgomery, Alabama 36130
(205) 271-7700

CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Order No. 89-082-WP upon Taurus Exploration, Inc. by sending the same postage paid, through the U.S. Mail, as Certified Mail No. P 873 074 643, with instructions to forward and return receipt requested to:

Mr. John Wallace
Taurus Exploration, Inc.
2101 6th Avenue North
Birmingham, AL 35203

Done this 25th day of May, 1989.


James L. Wright