



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

August 5, 2008

Mr. Malcolm D. Long,
General Manager,
JTL Group, Inc.
1461 Bryan Stock Trail
Casper, WY 82602

RE: Notice of Violation

Dear Mr. Long,

Enclosed you will find a Notice of Violation (NOV) issued to JTL Group, Inc. by the Department of Environmental Quality, Air Quality Division, for failing to control fugitive dust from the haul roads at VR Mine as required by of permit waiver WV-YP1 and Chapter 3, Section 2(f) of the Wyoming Air Quality Standards and Regulations (WAQSR). These violations were observed by Mr. Jeff Hancock, Air Quality Division Engineer, on June 23, 2008.

As the Department and this Division consider the failure to comply with air quality permit requirements to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Ms. Karen Godman, Air Quality Compliance Program Principal, at 307-777-8601 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Ms. Karen Godman.

Sincerely,

David A. Finley
Administrator
Air Quality Division

cc: Robert Gill
Chris Hanify
Nancy Vehr
Keith Guille



**BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING**

**IN THE MATTER OF THE NOTICE OF VIOLATION
ISSUED TO JTL GROUP, INC,
MR. MALCOLM D. LONG,
GENERAL MANAGER,
1461 BRYAN STOCK TRAIL,
CASPER, WY 82602**

DOCKET NO. 4341-08

NOTICE OF VIOLATION

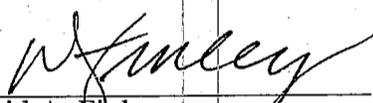
NOTICE IS HEREBY GIVEN THAT:

1. The Department of Environmental Quality, Division of Air Quality, has found JTL Group, Inc. to be in violation of permit waiver WV-YP1 issued in accordance with W.S. 35-11-801 of the Wyoming Environmental Quality Act and Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations in the operation of the VR Mine located in Converse County, Wyoming.
2. W.S. 35-11-801 states, "In granting permits, the director may impose such conditions as may be necessary to accomplish the purpose of this act which are not inconsistent with the existing rules, regulations and standards."
3. Chapter 6, Section 2 of the Wyoming Air Quality Standards and Regulations prescribes the applicability and procedures for issuing permit waivers to sources under Wyoming's construction and modification permitting program.
4. Permit waiver WV-YP1 was issued to JTL Group, Inc. on June 21, 2001. Permit waiver WV-YP1 states, "Please note that Chapter 3, Section 2(f) of the WAQSR requires all fugitive dust emissions to be limited so as to "prevent unnecessary amounts of particulate matter from becoming airborne." This includes the use of water and/or chemical dust suppressants on all unpaved haul roads, access roads and work areas utilized during the operation of this mine."
5. On June 23, 2008, Mr. Jeff Hancock, Air Quality Division Engineer, observed a significant amount of dust generated by heavy haul truck traffic to the VR Pit.
6. Said violation consists of the failure to control fugitive dust from the haul roads as required by within permit waiver WV-YP1 and Chapter 3, Section 2(f) of the Wyoming Air Quality Standards and Regulations.
7. Under W.S. 35-11-901(a), any person who violates any provision of Article 2 of [the Environmental Quality Act] ... or any rule, regulation, standard or permit adopted pursuant to those provisions, or who violates any determination or order of the council pursuant to Article 2 of [the Environmental Quality Act] ... is subject to a penalty not to exceed ten thousand dollars (\$10,000.00) for each violation for each day during which the violation continues, a temporary or

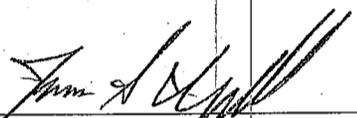
permanent injunction, or both a penalty and an injunction.

8. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of 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.

DATED this 7th day of August, 2008.



David A. Finley
Administrator
Air Quality Division



John V. Corra
Director
Department of Environmental Quality

Please direct all inquiries to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, Herschler Building, 2nd Floor East, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393)