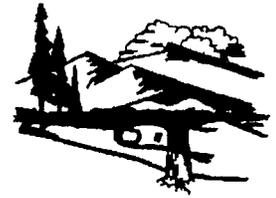




Department of Environmental Quality



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

November 10, 2008

Mr. Mark L. Hawks
John Bunning Transfer Company, Inc.
PO BOX 128
Rock Springs, WY 82902

Re: Notice of Violation

Dear Mr. Hawks,

Enclosed you will find a Notice of Violation (NOV) issued to John Bunning Transfer Company, Inc. by the Department of Environmental Quality, Air Quality Division for the failure to control fugitive dust emissions from the Bunning Pipe Yard located off of Blair Avenue in Sweetwater County, Wyoming in violation of Chapter 3, Section 2 of the Wyoming Air Quality Standards and Regulations. This violation was observed by the Division on September 15, 2008, May 28, 2008 and May 4, 2008. During the Division's observation, the pipe yard had no evidence of fugitive dust control measures to alleviate fugitive dust.

As the Department and this Division consider the failure to comply with air quality regulatory 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 issue 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 the Notice of Violation, please feel free to contact me or Ms. Karen Godman.

Sincerely,

David A. Finley
Administrator
Air Quality Division

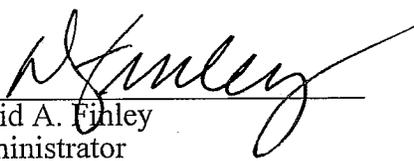
cc: Nancy Vehr,
Robert Gill
Tony Hoyt
Keith Guille



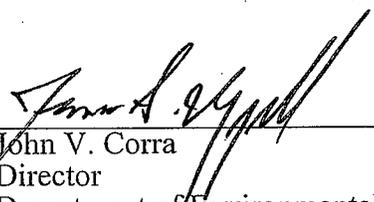
John Bunning Transfer Company, Inc.
Notice of Violation
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7. This notice is being sent to you pursuant to W.S. 35-11-701(c), which requires that, in any case of the failure to correct or remedy an alleged violation, the Director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

DATED this 18th day of November, 2008.



David A. Finley
Administrator
Air Quality Division



John V. Corra
Director
Department of Environmental Quality

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