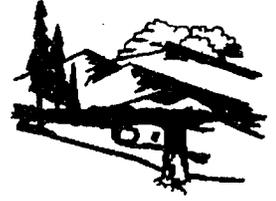




# Department of Environmental Quality



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

February 9, 2010

Mr. Steve Wilkerson  
Plant Manager  
American Colloid Company  
PO BOX 428  
Lovell, WY 82431

RE: Notice of Violation

Dear Mr. Wilkerson:

Enclosed you will find a Notice of Violation (NOV) issued to American Colloid Company by the Department of Environmental Quality, Air Quality Division, for failing to control fugitive dust from the haul road at the American Colloid Company's Colony East and Colony West Plants in violation of condition 13 of permit MD-1591A2 and condition 14 of permit MD-1590A.

As the Department and this Division consider the failure to comply with air quality permit conditions 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,

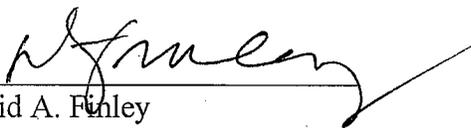
David A. Finley  
Administrator  
Air Quality Division

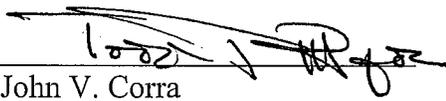
cc: Robert Gill  
Tanner Shatto  
Nancy Vehr  
Keith Guille





DATED this 23<sup>rd</sup> day of February, 2010.

  
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David A. Finley  
Administrator  
Air Quality Division

  
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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, 122 W. 25th Street, Cheyenne, Wyoming 82002. (Telephone: 307/777-7393.)