



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 6, 2007

Mr. Ernest Skretteberg
McGarvin-Moberly Construction Co.
P. O. Box 1166
Worland, WY 82401

**RE: Notice of Violation, Docket No. 4105-07
McGarvin-Moberly Construction Co., WyDEQ/LQD Permit No. 672(s)**

Dear Mr. Skretteberg:

On October 31, 2007, I conducted an inspection of WyDEQ/LQD Permit 672(s) to ascertain if McGarvin Moberly Construction (MMC) had completed all actions required under the Settlement Agreement for Docket No. 4105-07. The funds for the penalty assessment were received by the WyDEQ/LQD Cheyenne office on August 1, 2007. I noted that all topsoil stockpiles were signed as stipulated by Item 4 of the Settlement Agreement and that there appeared to be adequate separation between the topsoil stockpiles and salable and reject material. In response to Settlement Agreement, Item 5 MMC has created a berm around the edge of the disturbance area and installed check dams in several drainages. MMC has completed the topsoil/subsoil salvage operation in the Bureau of Land Management (BLM) approved stockpile area before initiating any operations in this area as stipulated under Settlement Agreement, Item 6.

I also noted during this inspection that MMC had removed the stockpile shown in Photo 3 of my September 13, 2007 letter to you. This area appears to have been topsoiled using material from the stockpile located adjacent to the entrance and is assumed to be ready for seeding this fall along with two other areas to the east. Thank you for taking the time to address this problem area. During all of your future mining operations please continue to be cognizant of potential impacts to native and reclaimed areas.

In closing, with this letter, I am terminating the Notice of Violation associated with Docket 4105-07 as MMC has honored all of its obligations under the Settlement Agreement. If you have any questions, please do not hesitate to contact me.

Respectfully,

Brian R. Wood
District II Hydrologist

Cc Mark Moxley > Permit 672(s) NOV file
Carol Bilbrough, WyDEQ/LQD Cheyenne
Jayne Doyle, BLM - Worland Field Office, PO Box 119, Worland, WY 82401
Brian Wood, Chron File

