

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
MR. RANDY STEVENS)
QUALITY LANDSCAPE)
P.O. BOX 1074)
SARATOGA, WY 82331)
TFN 5 2/25)

DOCKET NO. 4271-08

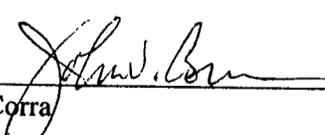
NOTICE

NOTICE IS HEREBY GIVEN THAT:

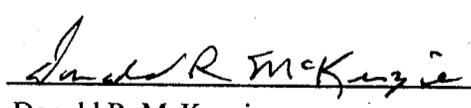
1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation. This site is located in Carbon County.
2. The violations noted on this mine site were discovered by Bill Hogg, Land Quality Division, District I, during an inspection conducted on April 25, 2008. Harold Kemp of the Wyoming Land and Farm Board had informed LQD that you had started operations without DEQ/LQD approval.
3. The inspection documented that Quality Landscape failed to obtain Land Quality Division authorization prior to the start of mining operations. This action is in violation of the Department of Environmental Quality Act §35-11-401(e)(vi).
4. The topsoil that was salvaged was not protected from wind and water erosion and identification signs were not in place. Failure to salvage, protect and identify topsoil material is a violation of Noncoal Rules and Regulations Chapter 10, Section 4.(b).
5. The Environmental Quality Act §35-11-401(e)(vi) requires the operator to have written permission of the owner and lessee of the land that is to be mined.
6. Wyoming Statute §35-11-901(a) provides that any person who violates any provision of the Environmental Quality Act or any rule, standard, permit, license or variance adopted hereunder is liable to a penalty of ten dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming.

NOTHING IN THE NOTICE shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 14 day of May, 2008



John V. Corra
Director
Department of Environmental Quality



Donald R. McKenzie
Administrator
Land Quality Division

Please direct all inquires regarding this Notice of Violation to Mr. Lowell Spackman, District I Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, Herschler Building, 3rd W, 122 West 25th Street, Cheyenne, WY 82002

CERTIFIED MAIL # 2007 1490 0001 0735 7533
RETURN RECEIPT REQUESTED
DOCKET NO.
TFN 5 2/25

cc: Lowell Spackman, LQD; Harold Kemp, State Lands
TFN 5 2/25