

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
TYLER DODGE)
1256 SYBILLE CREEK ROAD)
WHEATLAND, WY 82201)
LIMITED MINING OPERATION (LMO) NO. 961ET)

DOCKET NO. 4276-08

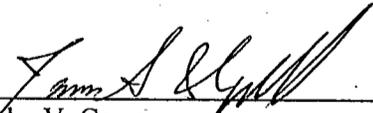
NOTICE

NOTICE IS HEREBY GIVEN THAT:

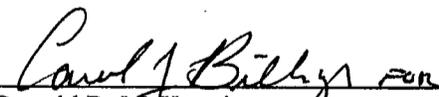
1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. The violations associated with this LMO were documented by Monte Buchanan, Land Quality Division, District I in both the 2007 Annual Inspection report and the 2008 Annual Inspection report, conducted on July 5, 2007 and April 22, 2008 respectively. This Limited Mining Operation is located in Platte County.
3. The operator/permittee failed to file the required 2006-2007 and 2007-2008 Annual Reports within thirty (30) days of the anniversary of permit approval. This is a violation of the Environmental Quality WDEQ/LQD Noncoal Rules and Regulations, Chapter 10, Section 3.
4. The aforementioned violations have not been corrected or remedied, nor has the operator/licensee provided any information concerning the violation.
5. 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 thousand 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 OF VIOLATION (NOV) 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 20th day of May, 2008



John V. Corra
Director
Department of Environmental Quality



Donald R. McKenzie
Administrator
Land Quality Division

PLEASE DIRECT ALL INQUIRIES 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

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LIMITED MINING OPERATION (LMO) NO. 961ET

cc: Lowell Spackman, LQD, District I
LMO 961ET, NOV File
Cheyenne NOV File