

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
CHEYENNE, WY

RECEIVED
OCT 2008
LQD

PERMIT NO. 233-T7
DOCKET NO. 4302-08

MODIFICATION OF NOTICE OR ORDER

PERMITTEE, OPERATOR OR LICENSEE

Name Thunder Basin Coal Company, LLC

Mine Black Thunder Mine

County and State Campbell, Wyoming

Mailing Address P.O. Box 406

Wright, WY 82732-0406

Surface Mine

Underground Mine

Other _____

Under the authority of the Wyoming Environmental Quality Act:

Notice of Violation No. 100196, dated June 27, 2008

Cessation Order No. _____, dated _____

is modified on this date as follows:

The following citation referencing Wyoming Department of Environmental Quality, Solid & Hazardous Waste Rules and Regulations and Remedial Action No. 5 are removed:

SHWD Rules and Regulations Chapter 3, Section 5 (q), (s), (u).

Remedial Action No. 5 States: "Collect all wastes, including any waste that is not properly covered anywhere within the landfill area, and properly cover the waste in accordance with the requirements of SHWD Chapter 3 as cited above. This includes all windblown wastes that have collected in the perimeter fence and all waste accumulating outside of the existing cover area."

Reasons: The violation of improper management of the solid waste disposal site at the Black Thunder Mine observed during the June 24, 2008 inspection pertained to not following existing LQD Permit 233-T7 language and requirements. Thus, citations of the Solid and Hazardous Waste Rules and Regulations are not warranted.

Effective Date October 2, 2008

Mark Rogaczewski
Printed Name of Designated Representative

Manner of Service Certified Mail


Signature of Designated Representative

Proof of Service Signed Receipt

cc: Cheyenne LQD
District Office
OSM - Casper Field Office