



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

October 14, 2008

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Mr. Dan Close
M-I Swaco
P.O. Box 832
Greybull, WY 82426

**RE: Notice of Violation, Docket No. 4270-08
M-I Swaco, LLC, WyDEQ/LQD Permit No. 278C**

Dear Dan:

On October 8, 2008, I conducted an inspection of WyDEQ/LQD Permit 278C to ascertain if M-I Swaco, LLC (MI) had completed all actions required under the Settlement Agreement for Docket No. 4270-08. The funds for the penalty assessment were received by the WyDEQ/LQD Cheyenne office on May 30, 2008. Inspection results indicated that MI has completed all of the required remedial measures in Lone Tree, SL-24, North Johnson and Johnson (includes State Lease (SL) series) areas. MI has developed a *Pocket Reference Handbook* for all operators that provides guidance regarding the identification, handling, and storage of material classes encountered during mining. In the process, MI has also developed a Monthly Compliance Score Sheet to evaluate the condition of each Mine Area. Documentation submitted indicates that there has been a vast improvement of conditions at the mine since the Spring 2008 inspection, which has been corroborated by my inspection of October 8, 2008.

In closing, with this letter, I am terminating the Notice of Violation associated with Docket 4270-08 as MI 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 278C NOV file
Becky Brosius, WyDEQ/LQD Cheyenne
Gretchen Hurley, BLM – Cody Field Office, P.O. Box, 518, Cody, WY, 82414
Pete Sokolosky, BLM – Worland Field Office, PO Box 119, Worland, WY, 82401
Brian Wood, Chron File

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