

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )

Energy Metals Corporation )  
139 W. 2<sup>nd</sup> Street, Suite 1C )  
Casper, WY 82601 )  
RE: Drilling Notification 353DN )

DOCKET NO. 4386-08

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation is being sent to you pursuant to W.S. §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. On October 29, 2008 an Inspection of the Antelope Property Exploration Project, being done under 353DN was conducted by Melissa L. Bautz and Brian Wood of the Wyoming Department of Environmental Quality - Land Quality Division, District II office. That inspection was summarized in a report dated October 29, 2008. The Antelope Property is located in Sections 11 - 15 and Sections 22 - 24 in T.26N, R.93W and Sections 1, 2, 7-12, 14-22, and 28-30 in T.26N., R.94W, in northern Sweetwater County, Wyoming.

3. W.S. §35-11-415(b)(iii) states "*The operator ...shall...Protect the removed and segregated topsoil from wind and water erosion, and from acid or toxic materials, and preserve such in a usable condition for sustaining vegetation when restored in reclamation.*" The October 29, 2008 Inspection revealed that topsoil and overburden were inadequately separated and that topsoil had been contaminated by overburden and drilling mud which is a violation of W.S. §35-11-415(b)(iii).

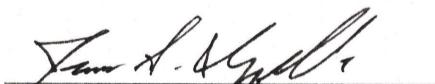
4. The Land Quality Division (LQD) Noncoal Rules and Regulations Chapter 8, Section 2 (b)(i) states "*Excess drilling mud and drill cuttings or any acid-forming or toxic materials uncovered during or created by exploration by drilling shall be properly disposed of so as not to constitute a fire, health, or safety hazard during or after the exploration by drilling.*" The October 29, 2008 Inspection revealed several instances of the failure to ensure the safety of the public and wildlife in the form of open mud pits. This is a violation of LQD Noncoal Rules and Regulations Chapter 8, Section 2 (b)(i).

5. W.S. § 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 there under 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.

DATED THIS 3<sup>rd</sup> day of Nov, 2008.



Donald R. McKenzie  
Administrator  
Land Quality Division



John V. Corra  
Director  
Department of Environmental Quality

**PLEASE DIRECT ALL INQUIRIES** regarding this Notice of Violation to Mark Moxley, Land Quality District 2 Supervisor, 510 Meadowview Dr., Lander, Wyoming 82520, telephone (307) 332-3047.

Attachment: October 29, 2008, Inspection Report