



# 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*  
12/18/08 John Corra, Director

December 16, 2008

RECEIVED  
DEC 18 2008  
LQD

Ms. Wendy Hutchinson  
Thunder Basin Coal Company.  
Black Thunder Mine  
P.O. Box 406  
Wright, WY 82732

**RE: Termination - Notice of Violation No. 100196 (Docket No. 4302-08) for Thunder Basin Coal Company, Black Thunder Mine, Permit No. 233-T7**

Dear Ms. Hutchinson:

Enclosed is the formal termination of the above referenced Notice of Violation. Based on observations made by LQD District 3 staff during an inspection on July 25, 2008, receipt of the penalty payment to the LQD on November 24, 2008 and to the NEW Bird Raptor Center in Gillette, WY on December 11, 2008, this violation has been appropriately abated.

If you have any questions, please contact Mark Rogaczewski in the LQD District III office at 307-672-6488.

Sincerely,

Mark Rogaczewski  
Supervisor  
District 3 DEQ/LQD

Attachment: Termination NOV 100196

xc: Cheyenne LQD Files

**CERTIFIED MAIL NO. 7005 1160 0001 6423 6668  
RETURN RECEIPT REQUESTED**

1866 SOUTH SHERIDAN AVENUE • SHERIDAN, WY 82801

AIR, LAND AND WATER DIVISIONS  
(307) 673-9337 • FAX (307) 672-2213



WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY  
LAND QUALITY DIVISION  
CHEYENNE, WY

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LQD

PERMIT NO. 433-T7  
DOCKET NO. 4302-08

VACATION OR TERMINATION OF NOTICE OR ORDER

To the Following Permittee or Operator or Licensee:

Name **Wendy Hutchinson**

Mailing Address **Thunder Basin Coal Company, Black Thunder Mine, P.O. Box 406, Wright, WY 82732-0406**

Under the authority of the Wyoming Environmental Quality Act of 1973, as amended, with respect to:

Notice of Violation No. **100196**, dated **June 27, 2008**  
Cessation Order No. \_\_\_\_\_, dated \_\_\_\_\_

Violation No. **1** is hereby  Terminated \_\_\_\_\_ Vacated because:

Violation No. \_\_\_\_\_ is hereby \_\_\_\_\_ Terminated \_\_\_\_\_ Vacated because:

Violation No. \_\_\_\_\_ is hereby \_\_\_\_\_ Terminated \_\_\_\_\_ Vacated because:

Black Thunder Mine satisfactorily addressed abatement Items Nos. 1 – 5 per Jon Sweet's inspection on July 25, 2008. Black Thunder Mine has satisfied abatement Item No. 6 by isolating their existing solid waste disposal site and relocating their disposal activities to a new site in the mine backfill. Payment of penalty has been received by DEQ LQD on November 24, 2008, with check no. 653533 in the amount of Twenty-five Hundred Dollars (\$2,500.00) from Thunder Basin Coal Company; and receipt no. 195239 for payment of Twenty-five Hundred dollars from Black Thunder Mine to the NEW Bird Raptor Center of Gillette, WY.

Mark Rogaczewski  
Printed Name of Designated Representative

  
Signature of Designated Representative

Date of Service December 16, 2008

Manner of Service Certified Mail

Proof of Service Return Receipt Requested

Person Served Wendy Hutchinson

cc: Cheyenne LQD  
District III Office  
OSM – Casper Field Office