



# 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

JRC  
4/29/9

April 23, 2009

Ms. Beth Goodnough  
Dry Fork Mine  
P.O. Box 1809  
Gillette, WY 82717-1809

**RE: Notice of Violation No. 100199 (Docket No. 4412-09) for Western Fuels-Wyoming, Inc., Dry Fork Mine, Permit No. 599-T4**

Dear Ms. Goodnough:

This letter covers a modification to the above referenced Notice of Violation. Western Fuels-Wyoming, Inc. has been removed from the Violation. The director's findings of fact concluded that Western Fuels - Wyoming was not directly responsible for the violation.

Please contact me if you have any questions.

Sincerely,

*Stacy Page*  
Stacy Page  
Senior Analyst

Attachments

xc: Don McKenzie (with attach.)

**CERTIFIED MAIL NO. 7005 1160 0001 6423 8440  
RETURN RECEIPT REQUESTED**



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KJA

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY  
LAND QUALITY DIVISION  
CHEYENNE, WY

PERMIT NO. 599-T4  
DOCKET NO. 4412-09

MODIFICATION OF NOTICE OR ORDER

PERMITTEE, OPERATOR OR LICENSEE

Name: Ames Construction, Inc.

Mine: Dry Fork Mine, Permit No. 599-T4

County and State: Campbell Co., Wyoming

Address: Mr. Tony Ames  
Ames Construction, Inc.  
18450 East 28<sup>th</sup> Ave  
Aurora, CO 80011

Surface Coal Mine X

Under the authority of the Wyoming Environmental Quality Act:

Notice of Violation No. 100199, dated January 8, 2009

is modified on April 23, 2009 as follows:

- 1) Western Fuels - Wyoming, Inc. will be removed from the Notice of Violation. Ames Construction, Inc. will remain.

Reasons:

Mr. Corra's conclusion in the informal conference held March 20, 2009 was that Western Fuels - Wyoming were not directly responsible for the violation.

Effective Date: April 23, 2009

STACY PAGE

Printed Name of Designated Representative

Manner of Service: CERTIFIED MAIL

Proof of Service: RETURN RECEIPT

  
Signature of Designated Representative

cc: Cheyenne LQD  
District Office  
OSM - Casper Field Office