DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO	)	
Mr. Andy Pleasant	)	**DOCKET NO. 4559-09**
A. Pleasant Construction Company, Inc.	)	
P. O. Box 783	)	
Green River, WY 82935	)	
And		
Mr. Curg Murray	)	
Gorge Rock Products, Inc.	)	
507 Smith Street	)	
Rock Springs, WY 82901	)	
RE: Small Mine Permit 737(s)	)	

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation is being sent to you pursuant to Wyoming Statue (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. Small Mine permit number 737(s) is located in Sweetwater County in the NW ¼ W ½ NE ¼ Sec 27, T.19N, R.108W, approximately three (3) miles north of the intersection of State Highway 372 and Interstate 80. The permit area encompasses 270 acres.

3. A. Pleasant Construction is the permittee (holder of small mine permit number 737s), and Gorge Rock Products is a licensee (holder of License to Mine number 737(s)-L2) under small mine permit 737(s).

4. On August 17, 2009 the Annual Inspection of the Small Mine Permit 737(s) was conducted by Melissa L. Bautz of the Wyoming Department of Environmental Quality - Land Quality Division, District II office. This inspection was summarized in a report dated September 9, 2009.

5. The August 17, 2009 Inspection revealed that greater than 10 acres were affected at the Permit 737s site in the past year. Affecting greater than 10 acres per year at Small Mine is a violation of W.S. §35-11-401(j).

6. The September 9, 2009 Inspection Report also noted that no Annual Report has been filed for this site since September 24, 2007. Failure to file an Annual Report is a violation of W.S. §35-11-411(a).

7. 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.

SIGNED this 21st day of September, 2009

John V. Corra
Director
Department of Environmental Quality

Donald R. McKenzie
Administrator
Land Quality Division

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.