



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



John Corra 1/4/10
John Corra, Director

Dave Freudenthal, Governor

December 28, 2009



Mr. Ron McMurry
McMurry Ready Mix Co.
P. O. Box 2488
Casper, WY 82602

RE: Limited Mining Operation 1423ET, Eastfork Ranch Pit
Termination of Notice of Violation Docket 4557-09

Dear Mr. McMurry,

This letter is to address and terminate the Notice of Violation (NOV) Docket 4557-09 issued to you subsequent to the Annual Inspection of the Limited Mining Operation 1423ET.

To remedy the NOV DEQ/LQD required the following actions in our letter to you dated November 13, 2009:

1. The affected area of the pit would be reclaimed back to 10 acres or less.
2. Additional bonding in the amount of \$2,000 would be posted to cover the existing disturbance associated with the pit area.

On November 19, 2009, Mark Moxley and Tanya King of DEQ/LQD met with you and Mr. Gene Brummond to determine an acceptable approach to reclaiming the pit back to 10 acres or less. It was determined during that on site meeting, that the topsoil pile would be relocated into the pit along the existing east highwall. The pile was to be constructed with slopes gentle enough to allow seeding of the topsoil pile to minimize loss to erosion. The area where the pit was originally located would be graded and seeded; additionally, the borrow ditches of the haulroad would be graded and seeded.

Mr. Brummond sent photographs of the grading and seeding process for our review. Ms. Willie Armstrong, the mine manager requested that we inspect the work to release the NOV.

A follow-up inspection was conducted at the above site on December 23, 2009. I verified that the topsoil pile had been relocated into the pit along the east highwall. From the photos received, it is clear that the grading and seeding of the original location and the borrow ditches had been graded and seeded. During the follow-up inspection, enough snow covered the ground that I could not clearly observe the work. The topsoil stockpile is not yet seeded, as the final contour of the pile had not been established.

DEQ/LQD has received and accepted the additional bonding of \$2,000, to cover the disturbance in the pit area beyond 10 acres. DEQ/LQD is terminating the NOV Docket 4557-09 as the items required for remedy the NOV have been honored.

Sincerely,

Tanya R. King
Tanya R. King, P.E.
Natural Resource Analyst

xc: Cheyenne DEQ/LQD
Mark Moxley - Lander DEQ/LQD
chron file - Tanya

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