DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION
AND ORDER

IN THE MATTER OF THE NOTICE OF	)	
VIOLATION ISSUED TO	)	
TERRY HANKINS	)	
ATTEN: MR. TERRY HANKINS	)	**DOCKET NO. 4643-10**
STERLING CORRECTION FACILITIES	)	
12101 HIGHWAY 61	)	
STERLING, CO 80751-8428	)	
PERMIT 255C	)	

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §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. Wyoming Statute §35-11-415(b)(ix) requires the operator to reclaim the affected land as mining progresses. Annual Reports and Annual Inspections indicate that no mining and no reclamation has occurred in years. The operator has not responded to the Compliance Section of the 2009 Annual Inspection report that required reclamation and removal of old equipment to begin within 90 days of the receipt of the report. The inspection was conducted on August 4, 2009.

3. Wyoming Statute §35-11-415(b)(iv) requires the operator to dispose of toxic, acid forming, or radioactive material or any material determined by the administrator to be hazardous to health or safety, or which constitutes a threat of pollution to surface or subsurface water. Several barrels and buckets of oil, hydraulic fluids were identified during the inspection conducted on August 4, 2009. These fluids must be disposed of properly.

4. Wyoming Statute §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 hereunder 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.

ORDER

WHEREFORE, IT IS HEREBY ORDERED THAT:

1. The Operator must complete the following:

   A. Complete the reclamation of the disturbance authorized under Permit 255C by September 1, 2010.

   B. Remove the mining equipment, containers of oil, hydraulic fluids, and fuels from the site.

   C. Dispose of equipment, as necessary, and waste products at licensed disposal sites by September 1, 2010.

This ORDER is final unless it is appealed in writing within the ten (10) day time limit proscribed by W.S. 35-11-701(c). If a hearing is requested, the first hearing petition shall be mailed to the Chairman, Wyoming Environmental Quality Council; 122 West 25th Street; Herschler Building, 1st Floor West, Room 1714; Cheyenne, Wyoming 82002. The second petition shall be mailed to the Director, Wyoming Department of Environmental Quality; 122 West 25th Street; Herschler Building, 4th Floor West; Cheyenne, Wyoming 82002. Both petitions must be sent by certified mail return receipt requested.

NOTHING IN THS ORDER shall be interpreted in any way to limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 2 day of MARCH, 2010

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 Mr. Lowell Spackman, District I Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, Herschler Building, 3rd W, 122 West 25th Street, Cheyenne, WY 82002

DOCKET NO. 4643-10
PERMIT 255C

cc: Jim Ruby
John Burbridge
Lowell Spackman, LQD, District I
Permit 255c