

**DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING**

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)	
VIOLATION ISSUED TO)	
SLATE CREEK STONE COMPANY, LLC)	DOCKET NO. 4644-10
ATTN: MR. STEVE MONELL)	
1955 BUCK DRIVE)	
FORT COLLINS, CO 80524)	
1349ET – LIMITED MINING OPERATION)	

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. The Wyoming Department of Environmental Quality, Land Quality Division (LQD), Noncoal Rules and Regulations, Chapter 10, Section 1(a)(i) requires operators of Limited Mining Operations to provide a name, address, and telephone number.
3. Correspondence to Slate Creek Stone Company, LLC (SCS) has been regularly returned to LQD as undeliverable. Specifically, the December 4, 2006 Annual Inspection report, the 2006-2007 Annual Report form and reminder letter (mailed January 29, 2007), the October 17, 2008 Annual Inspection report, and the 2007-2008 Annual Report form and reminder letter (mailed February 2, 2009) were all returned to LQD as undeliverable.
4. LQD Noncoal Rules and Regulations, Chapter 10, Section 3 states that operators shall file annual reports pursuant to Wyoming Statute §35-11-401(k).
5. SCS failed to file an annual report during any reporting period since the issuance of 1349ET on April 14, 2006.
6. LQD Noncoal Rules and Regulations, Chapter 10, Section 5(a) states that an operator shall notify LQD and commence reclamation or restoration when mining operations have ceased or within 30 days after abandonment of the mining operation. LQD Noncoal Rules and Regulations, Chapter 10, Section 5(a)(i)(B) states that an operation will be considered abandoned if no further mining or reclamation work has been done from one annual report to the next.
7. During the October 17, 2008 Annual Inspection, LQD Hydrologist, Jonathan Stauffer, determined that no mining or reclamation work had occurred at 1349ET during the most recent reporting period (2007-2008). This determination was based on a comparison of previous inspection photos to the conditions on-the-ground, the growth of vegetation on material stockpiles, and the lack of equipment related disturbance on the site. In the 2008 inspection report, LQD required SCS to indicate whether the company planned on mining the site, and, if not, immediately begin reclamation activity. The letter required SCS to contact LQD by April 13, 2009. SCS did not contact LQD. During the July 23, 2009 Annual Inspection, LQD Hydrologist, Jonathan Stauffer, determined that SCS had not conducted any mining or reclamation work at 1349ET during the 2008-2009 reporting period. In the 2009 inspection report, LQD informed SCS that they were in violation of LQD Noncoal Rules and Regulations, and the site was considered abandoned due to the lack of mining or reclamation work during multiple reporting periods.

8. 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.

NOTHING IN THE NOTICE shall be interpreted to in any way 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 12 day of MARCH, 2010



John V. Corra
Director
Department of Environmental Quality



Donald R. McKenzie
Administrator
Land Quality Division

Please direct all inquires regarding this Notice of Violation to Mr. Lowell Spackman, LQD District I Supervisor, Wyoming Department of Environmental Quality, Land Quality Division, 122 West 25th Street, Herschler Building – 3W, Cheyenne, Wyoming, 82002.

cc: Lowell Spackman, LQD;
1349ET File