



Dave Freudenthal,
Governor

Department of Environmental Quality

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

7/1/10
John Corra,
Director

June 29, 2010

LQD

JUN 30 10

Mr. Clayton Brown
Jerry Brown Construction
P.O. Box 291
Worland, WY 82401

RECEIVED

**RE: Notice of Violation, Docket No. 4471-09
Jerry Brown Construction WyDEQ/LQD Limited Mining Operation No. 771ET**

Dear Mr. Brown:

On June 27, 2010, I conducted an inspection of WyDEQ/LQD Limited Mining Operation (LMO) 771ET to ascertain if you had completed all actions required under the Settlement Agreement for Docket No. 4471-09. Action Item 1 of the Settlement Agreement required that all topsoil be pulled back from the highwall crest and to establish a buffer zone along the highwall. Inspection indicated that this task had been completed and that a buffer zone had been established. Action Item 2 required all topsoil/subsoil previously salvaged from the west end of the disturbance area as well as the topsoil/subsoil generated through Action Item #1 (above) to be consolidated into one, single pile; this appears to have been accomplished. Action Item 3 required all topsoil/subsoil piles to be signed; this appears to have been accomplished. The attached Photos provide the documentation that the existing topsoil piles are signed, the topsoil was pulled back from the highwall crest and a buffer zone established, and consolidation of salvaged topsoil along the western edge of disturbance.

In closing, with this letter, I am terminating the Notice of Violation associated with Docket 4471-09 as you have honored all obligations under the Settlement Agreement. If you have any questions, please do not hesitate to contact me.

Respectfully,

Brian R. Wood
District II Hydrologist

Cc Mark Moxley > Limited Mining Operation 771ET
Becky Brosius, WyDEQ/LQD Cheyenne
Brian Wood, Chron File

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