

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
CROELL REDI-MIX, INC.) DOCKET NO. 4700-10
ATTN: Julie Ewing)
P.O. BOX 1352)
SUNDANCE, WY. 82729)
Permit No. 772 – MINE 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. Wyoming Statute §35-11-415(b)(ii) requires the operator to conduct all surface mining and reclamation activities within the permit area in conformity with his approved plan.
3. During an inspection on April 28, 2010, of Regular Mine 772, Mr. Miles Bennett and Mr. Mark Rogaczewski observed disturbances outside the approved affected area boundary of the approved Mine Plan. Mr. Bennett and Mr. Rogaczewski brought this concern to the attention of Ms. Julie Ewing and Mr. Matt McPhee of Croell Redi-Mix, Inc. and requested future disturbances be pulled back within the approved affected area boundary of the Mine Plan. This concern was also recorded in the May 22, 2010 inspection report.
4. A complaint stating Croell Redi-Mix was performing mining activities not in conformance with their approved mine plan was received in the LQD District III office on June 4, 2010. Mr. Miles Bennett performed a complaint inspection on June 10, 2010. During this inspection he used a GPS traverse overlaid on a map to verify disturbances performed since the April 28, 2010 inspection had continued to be outside the approved "Affected Area Boundary" of Permit 772.

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 1 day of July, 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. Mark Rogaczewski, District III Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, 2100 West 5th Street Sheridan, WY, 82801

772 – Regular Mine Operation

cc: Mark Rogaczewski, LQD
File, Small Mine Permit 772