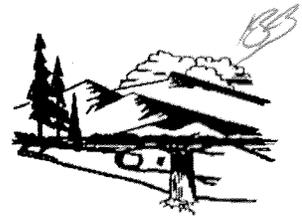




Department of Environmental Quality



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

Dave Freudenthal, Governor

John Corra, Director

October 11, 2010

JRC
10/19/10

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
#7007 1490 0002 1624 1332**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED
#7007 1490 0002 1624 1349**

Mr. John Sulenta
Sulenta LLC
P.O. Drawer F
Pinedale, WY 82941

Mr. Mike Denison
Basic Energy
P.O. Box 37
La Barge, WY 82123



RE: Termination of Notice of Violation Docket No. 4556-09, Sulenta LLC, Permit No. 606

Gentlemen:

Sulenta LLC and the licensed operator, First Energy Services Co., were issued Notice of Violation Docket No. 4556-09 on September 11, 2009 for failure to properly salvage and preserve topsoil for use in reclamation as required by Chapter 3 of the LQD Non-Coal Rules and Regulations.

Following issuance of the NOV, a Settlement Agreement was issued on December 7, 2009 which required a number of remedial actions to resolve the Notice of Violation. Although most of the actions were completed by the end of last year, one of the terms required reclamation of the E½ of the pit by the end of 2010.

To verify compliance with this final term of the Settlement Agreement, the mine was inspected with Mr. Bob Jacobson of Basic Energy on September 29, 2010. The required reclamation has been essentially completed except for final seeding which will take place later this fall. Please be advised that all terms of the Settlement Agreement have now been fully satisfied and that above-referenced Notice of Violation is hereby terminated.

Your cooperation in this matter has been greatly appreciated. If you should have any questions regarding this correspondence, please feel free to contact me.

Sincerely,

John Erickson
Assistant District II Supervisor
Land Quality Division

xc: Becky Brosius - Cheyenne DEQ/LQD
Mark Moxley - Lander DEQ/LQD > Permit 606 Correspondence File
Chron File

