

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO: )  
MR. KURT POLLARD ) DOCKET NO. 4760-10  
4307 WEST 5615 SOUTH )  
KEARNS, UT 84118 )  
RE: PERMIT 226C )

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation is being sent to you pursuant to W.S. §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. On October 27, 2010 the annual inspection of the Kurt Pollard Permit No. 226C was conducted by John Erickson and Tanya King of the Land Quality Division District II office. The jade quarry is located in the W½ Sec. 32, T.30N., R.92W., Fremont County, Wyoming.
3. The inspection revealed that there has been no mining or reclamation activity at the quarry since the previous Land Quality Division inspection conducted September 21, 2007.
4. Kurt Pollard has failed to file any Annual Reports since January 31, 1988.
5. Failure to reclaim mining disturbances is a violation of W.S. § 35-11-415 (b)(ix) which requires that an operator reclaim the affected land as mining progresses in conformity with the approved reclamation plan.
6. Failure to file annual reports is a violation of Wyoming Statute § 35-11-411(a) which requires that an operator file an annual report with the administrator on or within thirty (30) days prior to the anniversary date of each permit.
7. The violations have not been corrected or remedied, nor has the operator provided any information to the Land Quality Division concerning the violations.
8. W.S. 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 thereunder 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 this Notice of Violation (NOV) 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 9<sup>th</sup> day of Nov., 2010

  
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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 Moxley,

District II Supervisor, Land Quality Division, 510 Meadowview Dr., Lander WY 82520

xc: Mark Moxley, Lander LQD