DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF	)	
VIOLATION ISSUED TO	)	
RDG OIL & GAS, LLC	)	**DOCKET NO. 4846-11**
ATTN: JEFF WINGERTER	)	
4830 INDUSTRIAL AVENUE WEST	)	
COEUR D'ALENE, ID 83815	)	
1337ET – 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. WDEQ-LQD Noncoal Rules and Regulations, Chapter 10, Section 4(b) states that topsoil stockpiles shall be clearly identified by a sign.

3. During an inspection performed on May 18, 2011, Mr. David Schellinger observed that two topsoil stockpiles at the LMO disturbance were not identified by topsoil signs.

4. The WDEQ-LQD Noncoal Rules and Regulations, Chapter 10, Section 4(b) states that all topsoil from affected lands shall be saved and stockpiled in such a manner to minimize wind and water erosion.

5. During the May 18, 2011 inspection of LMO 1337ET, Mr. David Schellinger observed that a portion of the pit was significantly disturbed without topsoil salvage.

6. WDEQ-LQD Noncoal Rules and Regulations, Chapter 10, Section 6(b) states that the operator may allow contractors to operate within its limited mining area provided notice is given to the Division (LQD) and the contractor meets the other requirements of the LQD, including the filing of Form 10.

7. During a telephone conversation with Mr. Jeff Wingerter of RDG Oil & Gas, LLC on June 1, 2011 the LQD inspector was informed that RDG Oil & Gas, LLC had contracted Mr. Pat Simons to operate the pit. The LQD was not notified that RDG Oil & Gas, LLC was not operating the pit and had contracted operation to another operator.

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 7th day of June, 2011

John V. Corra
Director
Department of Environmental Quality

Carol Bilbrough
Acting 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

1337ET – LIMITED MINING OPERATION

cc: Mark Rogaczewski, LQD
File, 1337ET