

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. 4902-11  
ATTN: MS. JULIE EWING )  
P.O. BOX 1352 )  
SUNDANCE, WYOMING 82729 )  
1499ET - 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. The Department of Environmental Quality, Land Quality Division 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."
3. During the inspection performed on September 13, 2011 Mr. David Schellinger documented that equipment had been operated on an area where topsoil had not been salvaged, placed two stockpiles of non-topsoil material on areas where topsoil had not been salvaged and that equipment had disturbed an area of the pit exterior where topsoil had not been salvaged prior to the disturbance.
4. 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 29<sup>th</sup> day of September, 2011

  
John V. Corra  
Director  
Department of Environmental Quality

  
Nancy Nuttbrock  
Administrator  
Land Quality Division

Please direct all inquires regarding this Notice of Violation to Mr. Mark Rogaczewski, District III Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, 2100 West 5<sup>th</sup> Street, Sheridan, WY, 82801

1180ET - LIMITED MINING OPERATION

cc: Mark Rogaczewski, LQD  
file, LMO 1499ET