

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )  
ATCHISON RANCH, LLC )  
ATTN: PATTY EPLER )  
3795 ROAD 203 )  
CHEYENNE, WY 82007 )  
LIMITED MINING OPERATION (LMO) NO. 1515ET )

DOCKET NO. 4921-11

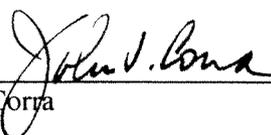
NOTICE

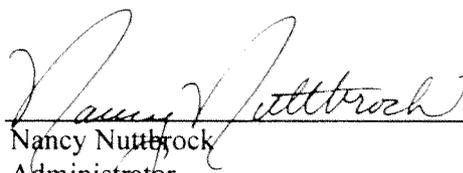
NOTICE IS HEREBY GIVEN THAT:

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 violations associated with this Limited Mining Operation were documented by Pam Rothwell and Julie Powell, Land Quality Division, District I during the Annual Inspection conducted on October 4, 2011. This LMO is located in Laramie County.
3. The operator/permittee failed to post a pit identification sign as part of mining operations conducted under 1515ET. This is a violation of the Environmental Quality WDEQ/LQD Noncoal Rules and Regulations, Chapter 10, Section 4(a), "*A sign shall be posted and maintained at the entrance of the operation that, at a minimum, clearly shows: (i) The name, address, and telephone number of the operator; (ii) The name of the operator's local authorized agent; and (iii) The LQD limited mining operation number.*"
4. The operator/permittee failed to save and protect topsoil during mining operations conducted under 1515ET. This is a violation of the Environmental Quality WDEQ/LQD Noncoal Rules and Regulations, Chapter 10, Section 4(b), "*All topsoil from affected lands shall be saved and stockpiled in such a manner to minimize wind and water erosion.*"
5. 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 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 8<sup>th</sup> day of November, 2011

  
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John V. Corra  
Director  
Department of Environmental Quality

  
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Nancy Nuttbrock  
Administrator  
Land Quality Division