DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF	)	
VIOLATION ISSUED TO	)	
	)	
Mr. Darin and Mrs. Aimee Binning	)	
Officers of	)	
CORA VALLEY CONSTRUCTION, INC.	)	**DOCKET NO. # 4929-11**
P. O. BOX 455	)	
PINEDALE, WYOMING 82941-0455	)	
	)	
RE: LIMITED MINING OPERATION NO. 708ET	)	

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. This Notice of Violation 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. Limited Mining Operations No. 708ET s located in Sublette County near Cora, Wyoming and is permitted for three (3) acres in Section 10, T.34N., R.110W.

3. Cora Valley Construction, Inc., is the permittee (holder of mine permit no. 708ET), and Cora Valley Construction, Inc. operated the pit in the years 2009 and 2010, before the permit was transferred to them.

4. On August 27, 2011 an inspection of the Cora Valley Construction, Inc., Limited Mining Operation No. 708ET was conducted by Tanya King of the Land Quality Division, District II.

5. The inspection revealed that topsoil stockpiles were not identified by signs.

6. Failure to clearly identify topsoil stockpiles with signs is a violation of Wyoming Statute §35-11-406(b)(viii) and Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 4(b).

7. Cora Valley Construction, Inc., failed to file annual reports for the periods ending March 18, 2009, 2010, and 2011.

8. Failure to file an annual report is a violation of Wyoming Statute § 35-11-401(k) which states that an operator shall file an annual report on or within 30 days prior to the anniversary date of the operation.

9. Wyoming Statute § 35-11-415 (a) provides that every operator to whom any permit or license is issued shall comply with all requirements of the Environmental Quality Act, the rules and regulations promulgated hereunder, and reclamation plans and other terms and conditions of any permit or license.

10. 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 ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this ORDER be interpreted as being a condition precedent to any other enforcement action.

ORDERED this 22nd day of December, 2011

John V. Corra
Director
Department of Environmental Quality

Nancy Nuttbrock
Administrator
Land Quality Division

Please direct all inquiries regarding this Notice of Violation to Mr. Mark Moxley, Land Quality Division District II Supervisor, 510 Meadowview Dr., Lander, WY, 82520, telephone 307-332-3047.