

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
NORTHERN WYOMING EQUIPMENT) DOCKET NO. 4979-12
P.O. BOX 797)
RALSTON, WY 82440)
RE: LIMITED MINING OPERATION NO. 1537ET)

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. On February 27, 2012 an inspection of the Northern Wyoming Equipment Limited Mining Operation No. 1537ET was conducted by Craig Smith of the Land Quality Division, District II. The pit is located in the SW¼NE¼ Sec. 5, T.52N., R.103W., Park County, Wyoming.
3. During the inspection, Mr. Smith observed that topsoil stockpiled along the crest of the south highwall had been irretrievably wasted when the highwall was re-affected.
4. Failure to save and protect topsoil is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 4(b).
5. Mr. Smith also observed during the inspection that no topsoil had been salvaged along the south side of the stockpile area and overburden material had been placed directly on top of native soils.
6. Failure to save and protect topsoil is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 4(b).
7. These violations have not been corrected or remedied nor has the operator provided any information to the Land Quality Division concerning the violations.
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 19th day of March, 2012



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.