DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF	)	
VIOLATION ISSUED TO	)	
DICKAU GRADING, LLC	)	
ATTEN: MR. GARY DICKAU	)	**DOCKET NO. 5003-12**
820 DICKAU RD	)	
SHAWNEE, WY 82229	)	

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 noted on this mine site were confirmed by Anna Krzyszowska-Waitkus, Land Quality Division, District I, during an inspection conducted on May 22, 2012. This mining disturbance is located in Converse County, T35N, R70W, Sections 9 and 17.

3. The inspection documented that Dickau Grading, LLC.
   a) Failed to record on Form 10 and the attached USGS map the correct location of the operation.
   b) The operator failed to post a sign at the entrance of the operation that at a minimum clearly shows the name, address, and telephone number of the operator.
   c) The operator did not save and protect topsoil from wind and water erosion.
   d) A topsoil sign was not posted.

   These actions are in violation of the Department of Environmental Quality, Land Quality Division Noncoal Rules and Regulations, Chapter 10, Section 1(a)(iii), Section 1(a)(vi)(B)(I), Section 4(a)(i) and Section 4(b).

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 6th day of June, 2012

John V. Corra
Director
Department of Environmental Quality

Nancy Nutbrock
Administrator
Land Quality Division

Please direct all inquires regarding this Notice of Violation to Mr. Lowell Spackman, District I Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, Herschler Building, 3rd W, 122 West 25th Street, Cheyenne, WY 82002

cc: Lowell Spackman, LQD