DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF	)	
VIOLATION ISSUED TO	)	
HOUT FENCING OF WYOMING, INC.	)	
ATTEN: MR. DAVE HOUT	)	**DOCKET NO. 5027-12**
402 US HWY 20N	)	
WORLAND, WY 82401	)	
PERMIT 1520ET		

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 Robert R. Stine from Trihydro Corp. during an inspection conducted on April 10, 2012 and Anna Krzyszowska-Waitkus, Land Quality Division, District I, during an inspection conducted on July 6, 2012. This mining disturbance is located in Converse County, T31N, R70W, Section 3.

3. The inspection documented that Hout Fencing of Wyoming, Inc's actions resulted in the following violations:
   a) Exceeded the maximum allowable disturbance acreage (10 acres) for a Limited Mining Operation. The disturbance was recorded at 11.4 acres. This is a violation of Chapter 10, Section 1 of the Land Quality Division Noncoal Rules and Regulations.
   b) The operator failed to salvage all suitable topsoil from the disturbance area.
   c) The operator did not protect topsoil from wind and water erosion.
   d) Topsoil signs on topsoil stockpiles were not posted.

   Items b) – d) are in violation of the Land Quality Division Noncoal Rules and Regulations, Chapter 10, 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 1st day of August, 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