

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
PALLESEN CONSTRUCTION INC) DOCKET NO. 5073-12
HCR 65 BOX 156)
GREEN RIVER, WY 82935)
RE: LIMITED MINING OPERATION TFN 5 1/292)

NOTICE

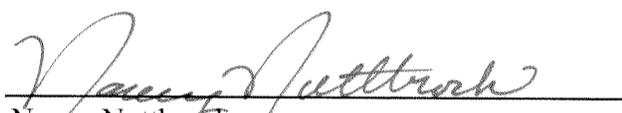
NOTICE IS HEREBY GIVEN THAT:

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 October 19, 2011 an inspection of the Pallesen Construction Inc. Limited Mining Operation (Temporary File No. 5 1/292) was conducted by Mila Ready and John Erickson of the Land Quality Division, District II. The pit is located in the SE¼SW¼ SE¼ Sec. 8, T.12N., R.109W., Sweetwater County, Wyoming.
3. During the inspection, Ms. Ready and Mr. Erickson observed that Mr. Pallesen had been actively mining gravel at this site without filing a Limited Mining Operation Notification as evidenced by the 6 acre disturbance mapped by LQD staff.
4. Failure to file a Limited Mining Operation Notification is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 1(a).
5. On February 2, 2012, Mr. Pallesen submitted the required Form 10 and photocopy of Sweetwater County Conditional Use Permit (Resolution 10-06-ZO-05).
6. The required \$10,000.00 bond has not been submitted to the Land Quality Division pursuant to W.S. § 35-11-401(e)(vii). Failure to file a bond is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 2.
7. These violations have not been corrected or remedied to date.
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 9th day of October, 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.