

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
HETTINGER LLC)
PMB 512)
12081 WEST ALAMEDA PARKWAY #512)
LAKEWOOD, CO 80228-2701)
711(s) – SMALL MINING PERMIT)

DOCKET NO. 5157-13

NOTICE

NOTICE IS HEREBY GIVEN THAT:

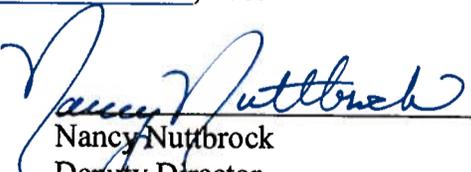
1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. The Department of Environmental Quality, Land Quality Division Noncoal Rules and Regulations Chapter 3, Section 2(k)((i) states that “ Reclamation must begin as soon as possible after mining commences and must continue concurrently until such time that the mining operation is terminated and all of the affected land is reclaimed.”
3. During his inspection performed on January 25, 2013, Mr. Kurt King documented that the operation has been abandoned for at least 1 ½ years with affected lands un-reclaimed. The landowner, Alpha Wyoming Land Company, LLC confirmed the site is abandoned.
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 3rd day of May, 2013



Todd Parfitt
Director,
Department of Environmental Quality



Nancy Nuttbrock
Deputy Director,
Department of Environmental Quality
Administrator, Land Quality Division

Please direct all inquiries regarding this Notice of Violation to Mr. Mark Rogaczewski, District III Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, 2100 West 5th Street, Sheridan, WY, 82801

cc: Mark Rogaczewski, LQD
file, 711(s)