

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
INTERMOUNTAIN CONSTRUCTION AND MATERIALS) DOCKET NO. 5179-13
ATTN: Mr. Ed Trimmer)
1618 KROE Lane)
Sheridan, WY 82801)
PERMIT 775)

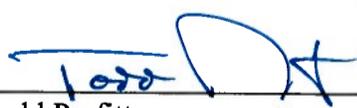
NOTICE

NOTICE IS HEREBY GIVEN THAT:

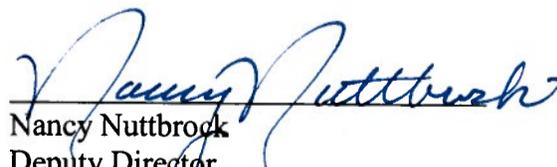
1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. Intermountain Construction and Materials is the operator of a gravel mining operation located in Johnson County, Wyoming, in Section 9, Township 44 North, Range 60 West. As part of its operation, Intermountain Construction and Materials has mined mineral from this site and distributed or sold the mined mineral for commercial use.
3. During an inspection performed on July 3, 2013, by Ms. Jaime J. Jakes, Mr. Mark Rogaczewski, and Mr. Kristiansen of the LQD District III staff, inadequate topsoil salvaging and protection was prevalent throughout the eastern and southern edges of the mining disturbance.
4. Failure to properly salvage and protect topsoil is a violation of The State of Wyoming, Department of Environmental Quality, Land Quality Division, Noncoal Rules and Regulations Chapter 3, Section 2(c)(i)(A).
5. 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 15th day of July, 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 St., Sheridan, WY, 82801

cc: Mark Rogaczewski, LQD DIII
Cheyenne LQD File