

**DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING**

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)	
VIOLATION ISSUED TO)	
MR. KEVIN CONDOS)	DOCKET NO. <u>5195-13</u>
GRAVEL WORKS, INC.)	
P.O. BOX 428)	
LYMAN, WY 82937)	
RE: Limited Mining Operation No. 1379ET)	

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation is being sent to you pursuant to W.S. §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 June 28, 2013, the annual inspection of the Gravel Works, Inc. Limited Mining Operations Notification No. 1379ET was conducted by John Erickson of the Land Quality Division District II office. The pit is located in the NW¼SW¼ Sec. 34, T.15N., R.115W., Uinta County, Wyoming.
3. The inspection revealed that there has been no mining or reclamation activity at the pit since the previous Land Quality Division inspection conducted September 25, 2012.
4. The inspection revealed that 8.3 acres have been affected by mining activities. Limited Mining Operation No. 1379ET was issued on February 21, 2007 for a maximum of 5 acres of affected lands. Gravel Works, Inc. has failed to provide an amended Limited Mining Operation Notification and additional bond to cover the unpermitted acreage.
5. Gravel Works, Inc. has failed to file an Annual Report since February 12, 2010.
6. Gravel Works, Inc. corporate status was administratively dissolved by the Wyoming Secretary of State as of June 10, 2012.
7. Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 5.(a)(i) states that an operation will be considered to be abandoned if the corporation conducting the operation goes out of business or if no further mining or reclamation work has been done from one annual report to the next.
8. Failure to commence reclamation after mining operations have ceased or within 30 days after the abandonment of the mining operation is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 5.(a).
9. Failure to post the required bond is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 2. and W.S. §35-11-401(e)(vii).
10. Failure to file an Annual Report is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 3.
11. The violations have not been corrected or remedied, nor has the operator provided any information to the Land Quality Division concerning the violations.

12. W.S. 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 thereunder 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 this Notice of Violation (NOV) 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 September, 2013



Todd Parfitt
Director
Department of Environmental Quality



Nancy Nutbrock
Administrator
Land Quality Division

PLEASE DIRECT ALL INQUIRIES regarding this Notice of Violation to Ms. Tanya King, District II Supervisor, Land Quality Division, 510 Meadowview Dr., Lander WY 82520

xc: Tanya King