

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )  
NINE IRON FEEDLOT )  
1586 ROAD 13 )  
WORLAND, WY 82401 )  
RE: LIMITED MINING OPERATION NO. 1525ET )

DOCKET NO. 5198-13

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 September 17, 2013 an inspection of the Nine Iron Feedlot Limited Mining Operation No. 1525ET was conducted by Sarah Naylor of the Land Quality Division, District II. The pit is located in the E ½ NE ¼ of Sec. 23 and the SW ¼ NW ¼ of Sec. 24, T.46N., R.93W., Washakie County, Wyoming.
3. During the inspection the disturbed area was mapped using Global Positioning System (GPS) equipment. The area disturbed by mining related activities was found to be 14.7 acres.
4. Limited Mining Operation No. 1525ET was issued May 31, 2011 for 5 acres of mining, the site was expanded on November 8, 2012 for a total of 10 acres of mining. On July 1, 2013, changes were made to the LMO regulations, expanding the maximum allowable disturbance to 15 acres. No amendment to expand the allowable disturbance to 15 acres has been sought. The operator has exceeded allowable affected area as required to be specified under WDEQ/LQD NonCoal Rules and Regulations, Chapter 10, Section 1 (a)(vii)(A).
5. This violation has not been corrected or remedied nor has the operator provided any information to the Land Quality Division concerning the violation.
6. 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 7<sup>th</sup> day of October, 2013

  
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Todd Parfitt  
Director,  
Department of Environmental Quality

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

Please direct all inquiries regarding this Notice of Violation to Ms. Tanya King, Land Quality Division District II Supervisor, 510 Meadowview Dr., Lander, WY, 82520, telephone 307-332-3047.