

**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>5205-13</u>
GRAVEL WORKS, INC.)	
P.O. BOX 428)	
LYMAN, WY 82937)	
RE: SMALL MINE PERMIT NO. SP575)	

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 September 25, 2012, an Annual Inspection of Small Mine Permit No. SP575 was conducted by John Erickson of the Land Quality Division District II office. The permit is located in the NW¼ Sec. 34, T15N, R115W, Uinta County, Wyoming. The inspection documented that the pit was inactive and apparently abandoned. Mining disturbances had not been reclaimed.

4. On June 28, 2013, an Annual Inspection of Permit SP575 was conducted by John Erickson. The inspection documented that there had been no mining or reclamation since the previous inspection.

5. The 2013 Annual Inspection Report included a bond estimate prepared by the Land Quality Division of \$72,233, an increase of \$42,233 over the current amount, to cover unreclaimed mining disturbances. Gravel Works, Inc. failed to post the necessary reclamation performance bond by the deadline of October 30, 2013.

6. The approved Reclamation Plan for Permit SP575 states that “areas will be reclaimed as soon as practical after mining in the same sequence as they are mined”.

7. Gravel Works, Inc. has failed to file an Annual Report since September 6, 2011.

8. Failure to reclaim is a violation of Wyoming Statute §35-11-415(b)(ix) which requires an operator to reclaim affected lands as mining progresses in conformity with the approved reclamation plan.

9. Failure to post bond is a violation of Wyoming Statute §35-11-417 which requires an operator to post a bond in the amount equal to the estimated cost of reclaiming the affected land.
10. Failure to file an Annual Report is a violation of Wyoming Statute §35-11-411 which requires an operator to file an Annual Report on or within thirty days prior to the anniversary date of the permit.
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. 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 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 18th day of November, 2013


Todd Parfitt
Director
Department of Environmental Quality


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

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

xc: Tanya King