

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION
AND
ORDER

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO)
MR. KEVIN CONDOS)
GRAVEL WORKS, INC.)
P.O. BOX 428)
LYMAN, WY 82937)
RE: SMALL MINE PERMIT NO. SP575)

DOCKET NO. 5217-13

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 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 reclamation since the previous inspection.
5. The 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. 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.
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.

ORDER

WHEREFORE, IT IS HERBY ORDERED THAT:

1. Gravel Works, Inc. shall post a reclamation performance bond increase of \$42,233 within fifteen (15) days of the receipt of this Notice of Violation and Order.

THIS ORDER is final and binding, unless not later than ten (10) days after the day the Order is served, it is appealed by filing a written request for a hearing before the Environmental Quality Council. The request should be mailed to:

Chairman
Environmental Quality Council
122 W. 25th Street
Herschler Bldg., Rm. 1714
Cheyenne, WY 82002

A copy of the appeal shall be sent to:

Director
Department of Environmental Quality
122 W. 25th Street
Herschler Bldg., 4th Floor West
Cheyenne, WY

NOTHING IN THIS ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Order be interpreted as being a condition precedent to any other enforcement action.

ORDERED this 17th day of December, 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 Tanya King, District II Supervisor, Land Quality Division, 510 Meadowview Dr., Lander, WY 82520