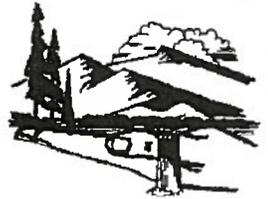




Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

CERTIFIED MAIL, RETURN RECEIPT REQUESTED: 7014 0510 0001 9716 5166

October 6, 2014

Ms. Kristi Chamley
Croell Redi-Mix
P.O. Box 1352
Sundance, WY 82729

RE: Notice of Violation, Docket No. 5465-14, Permit 772, Croell Redi-Mix Inc.

Dear Ms. Chamley:

Enclosed you will find a Notice of Violation issued under the provisions of W.S. §35-11-701(c). The Notice of Violation is based on inspections conducted by BJ Kristiansen and Dorrان Larner of the LQD District III staff on August 26, 2014 and August 28, 2014. The violation is for affecting lands outside the approved permit boundary in violation of W. S. § 35-11-415(b)(ii) which requires the operator to conduct all surface mining and reclamation activities within the permit area in conformity to the approved plan; and Land Quality Division Non-coal Rules and Regulations Chapter 3, Section 2(c)(i)(A) that requires operators to remove topsoil from all areas to be affected in the permit boundary.

The LQD is attempting to resolve this issue without further enforcement action, and requires that you contact Mr. Mark Rogaczewski, LQD District III Supervisor at 307-673-9337 **within** fifteen (15) days of receipt of this letter to schedule a meeting to resolve this enforcement action. Should resolution of this enforcement action be reached as a result of this meeting, a Settlement Agreement will be signed by both parties.

Should you have any questions, please contact Mark Rogaczewski, Supervisor, LQD District III at 307-672-6488.

Respectfully,



Todd Parfitt, Director
Department of Environmental Quality



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

Enclosures: Notice of Violation Docket No. 5465-14
cc: Mark Rogaczewski, Supervisor, LQD District III
File, Permit 772

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7758 FAX 777-7682	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
CROELL REDI-MIX, INC.)
ATTN: Ms. Kristi Chamley) Docket No. 5465-14
P.O. Box 1352)
Sundance, WY 82729)
PERMIT PT772)

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. Croell Redi-Mix Inc. is the operator of a limestone mining operation located in Crook County, Wyoming, in Sections 25, 26 and 35 Township 52 North, Range 62 West. As part of its operation, Croell Redi-Mix Inc. has mined mineral from this site and distributed or sold the mined mineral for commercial use.
3. During an inspection performed on August 26, 2014, by Mr. BJ Kristiansen and Mr. Dorrان Larner of the LQD District III staff, off-site impacts from blasting debris in Section 36, Township 52 North, Range 62 West were discovered.
4. During an inspection performed on August 28, 2014, by Mr. Dorrان Larner of the LQD District III staff, on-site impacts from blasting debris were discovered. During the same inspection, additional on-site impacts were noted due to materials from a failed berm washed downslope onto topsoil. These compliance issues are located in Section 25, Township 52 North, Range 62 West.
5. Affecting lands outside the approved permit boundary is a violation of Wyoming Statute §35-11-415(b)(ii). Failure to remove topsoil from all areas to be affected in the permit boundary is a violation of Land Quality Division Non-coal Rules and Regulations Chapter 3. Section 2(c)(i)(A).
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 6th day of October, 2014



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

Permit PT772

cc: Mark Rogaczewski, LQD DIII
Cheyenne LQD File