

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )  
WILLITS COMPANY, INC. )  
1417 W. 6<sup>TH</sup> AVE. )  
CHEYENNE, WY 82001 )  
PERMIT SP 669 )

DOCKET NO. 5503-14

NOTICE

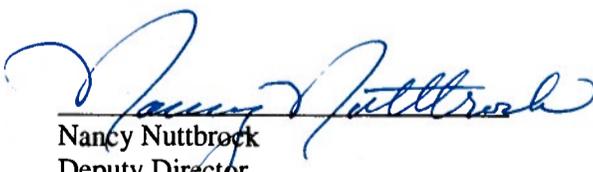
NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute (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. This Small Mine Operation is located in Laramie County. The violations noted on this mine site were discovered during Land Quality Division, District I inspections conducted on May 15, 2014 and September 18, 2014, documented in their respective inspection reports to the operator dated July 18, 2014 and October 17, 2014.
3. Inspections documented mining has occurred outside of the approved permit boundary. The pit has been expanded by several acres (ca. 10-15) outside of the permit boundary without submittal or approval of an amendment or revision to the permit. Mining outside the permit boundary is a violation of W. S. §35-11-405(a).
4. It is documented in mine permit inspection reports that some of the topsoil resource had been lost during operations at the mine permit. Failure to remove topsoil prior to other mining operations affecting the area is a violation of the Department of Environmental Quality/Land Quality Division Noncoal Rules and Regulations (WR&R) Chapter 3, Section 2(c)(i)(A).
5. 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 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 November, 2014

  
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Todd Parfitt  
Director  
Department of Environmental Quality

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

Please direct all inquires regarding this Notice of Violation to Mr. Robin Jones, District I Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, Herschler Building, 3<sup>rd</sup> W, 122 West 25<sup>th</sup> Street, Cheyenne, WY 82002

cc: Robin Jones, LQD  
Permit SP 669  
Jonathan Stauffer, Eco-Hydro Consulting