DEPARTMENT OF ENVIRONMENTAL QUALITY STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF VIOLATION ISSUED TO	)	
Mr. Jim Wise 1640 Colorado Drive Green River, WY 82935	)	DOCKET NO. 5511-14

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation is being sent to you pursuant to W.S. §35-1 1-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.

2. The Land Quality Division (LQD) Noncoal Rules and Regulations (NCRR) Chapter 10, Section 3 states that "The operator shall file annual reports pursuant to W.S. § 35-l 1-401 (k)." LQD has not received any annual reports for Limited Mining Operation ET1276 since April 4, 2006.

3. The LQD NCRR Chapter 10, Section 5 (a) (i) (B) states that the operation will be considered to be abandoned if "No further mining or reclamation work has been done from one annual report to the next." There has been no activity at Limited Mining Operation ET1276 since 2009, and the documented reclamation failure described in consecutive annual inspection reports has not been addressed.

4. The LQD NCRR Chapter 10, Section 5 (a) (i) (C) states that the operation will be considered to be abandoned if "The period of time for which the surface owner (or lessee) gave permission has expired and a written extension has not been obtained." In correspondence received by LQD on June 13, 2014, the BLM Rock Springs Office notified you that Bureau of Land Management contract WYW-167605 for the sale of mineral materials expired on February 28, 2013. The letter also indicates that you are in default of the lease agreement and that an outstanding balance of $12,743.50 is owed.

5. W.S. § 35-l 1-901(a) provides that any person who violates any provision of the Environmental Quality Act or any rule, standard, permit, license or variance adopted there under 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.

DATED THIS 15th **day of** December, **2014.**

Nancy Nuttbrock
Deputy Director/Land Quality Administrator
Department of Environmental Quality

Todd Parfitt
Director
Department of Environmental Quality

PLEASE DIRECT ALL INQUIRIES regarding this Notice of Violation to John Erickson, Land Quality District 2 Supervisor, 510 Meadowview Dr., Lander, WY 82520, phone (307) 332-3047.