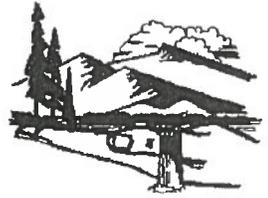




# Department of Environmental Quality

*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

June 4, 2015

Mr. Shane Swilling, Safety & Environmental Director  
Knife River  
P.O. Box 20150  
Cheyenne, WY 82003-7003

**RE: Notice of Compliance, Notice of Violation (NOV) Docket No. 5489-14, Mining Outside Approved Permit Boundary and Failure to Salvage and Protect Topsoil and Subsoil, Permit 684 Knife River (KR)**

Dear Mr. Swilling:

This letter serves as the Land Quality Division (LQD) **Notice of Compliance** for the referenced NOV that was issued on October 22, 2014. The assessed fee was received by the Department of Environmental Quality (DEQ) on November 10, 2014 as stipulated by the Settlement Agreement, with the last signature dated November 15, 2014.

The mitigation of all the compliance requirements as agreed to in the Settlement Agreement have all been satisfied as outlined below:

- Item 4: Backfill outside permit area pits, replace soil and seed the area. Abated as documented in an email dated December 22, 2014 for backfilling the pits, and soil replacement with seeding as documented during the inspection of April 6, 2015. According to the Settlement Agreement, the off-permit pit disturbance was to have been backfilled by December 1, 2015. However, due to the slowdown in mining activity during the winter, there was not enough backfill material to fill these pits until later in December. Knife River completed the backfilling by December 22, 2014 once the material was available. Soil replacement and seeding was completed by April 1, 2015 as document in the inspection done April 6, 2015, therefore meeting the deadline outlined in the Settlement Agreement;
- Item 5: Failure to salvage and protect the soil. Abated as documented in an email dated 12/22/14 and verified during the inspection on April 6, 2015. It is important that Knife River continue to salvaged, protected, and use all suitable soil for reclamation as required by the Wyoming Environmental Quality Act and the Noncoal Rules and Regulations;
- Item 7: Abated with the payment of the \$3,000 fee received on 11/10/14.

If you have any questions, please contact me at [lowell.spackman@wyo.gov](mailto:lowell.spackman@wyo.gov) or 307.777.7052.

Sincerely,

Lowell K. Spackman  
District I Soil Scientist  
Land Quality Division

lks:LKS

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

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