



Department of Environmental Quality



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

Dave Freudenthal, Governor

John Corra, Director

CERTIFIED MAIL

July 31, 2007

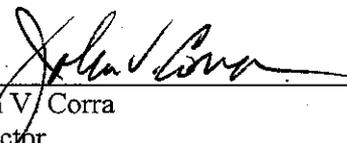
**Bridger Coal Company
Pat Akers
P.O. Box 68
Point of Rocks, WY 82942**

RE: Notice of Violation, Docket Number 4123-07

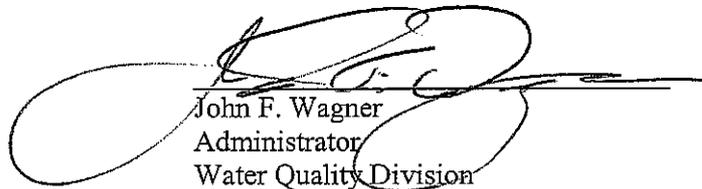
Dear Sirs:

Attached is a copy of a Notice of Violation, Docket Number 4123-07, issued to Bridger Coal Company for the construction of two public water supply wells without a permit to construct. George Hoffman, P.E., is the Professional Engineer of Record listed on the permit to construct application form.

The Water Quality Division has the authority to resolve violations with an out-of-court settlement agreement. If Bridger Coal Company desires to pursue resolution of the previously noted violation through such an agreement, please contact Mr. Mark Baron, Water and Wastewater Section District Supervisor, in writing by August 15, 2007 to set up a meeting to discuss this matter. He can be contacted at the Department's Lander Office located at 510 Meadowview Drive, 82520.



John V. Corra
Director
Department of Environmental Quality



John F. Wagner
Administrator
Water Quality Division

JVC/JFW/MDB/bb/7-0624.LTR
RR 8/1/7

Enclosure: Notice of Violation

xc: IPS
Don McKenzie, WWW, Cheyenne
Keith Guile, DEQ Public Information Officer

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

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	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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BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

**IN THE MATTER OF THE NOTICE OF
VIOLATION ISSUED TO:**

**Bridger Coal Company
Pat Akers
P.O. Box 68
Point of Rocks, WY 82942**

DOCKET NUMBER 4123-07

NOTICE OF VIOLATION

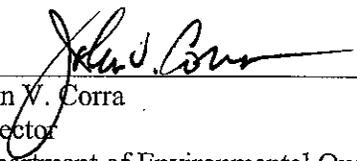
NOTICE IS HEREBY GIVEN THAT:

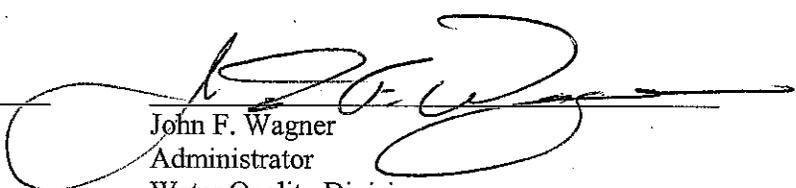
1. Bridger Coal Company is the owner of public water supply wells, Bridger No. 2 & 3 wells. These water wells are located in the NW 1/4 Section 13 of Township 21 North, Range 101 West in Sweetwater County, Wyoming.
2. Bridger Coal Company started construction on these public water supply wells prior to receiving a permit to construct from the Department of Environmental Quality (DEQ). The DEQ became aware of this activity on July 11, 2007.
3. Bridger Coal Company submitted a permit to construct application (07-452) for two public water supply wells to serve an underground mine office, bathhouse, and garage complex on July 17, 2007. George Hoffman, P.E. of Hydro-Engineering, LLC is the Professional Engineer of Record listed on the permit to construct application.
4. Wyoming Statute (W.S.) 35-11-301(a)(v) requires a permit from the Department of Environmental Quality (DEQ) prior to the construction of a public water supply well.
5. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the Director of DEQ shall cause a written notice to be issued and served on the person alleged to be responsible.
6. Pursuant to Wyoming Statute 35-11-901(a), any person who violates, or any director, officer, or agent of a corporate permittee who willingly and knowingly authorizes, orders, or carries out the violation of any provision of the Environmental Quality Act (Act), or any rule, regulation, standard, or permit adopted hereunder or who violates any determination or order of the council pursuant to this act or any rule, regulation, standard, permit, license, or variance is subject to a penalty not to exceed ten thousand dollars and no cents (\$10,000.00) for each violation for each day during which the violation continues, a temporary or permanent injunction, or both a penalty and an injunction. The 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 herein shall preclude the department from negotiating stipulated settlements involving the payment of a penalty, implementation of compliance schedules, or other settlement conditions, in lieu of litigation.

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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.

Signed this 1 day of August, 2007.


John V. Corra
Director
Department of Environmental Quality


John F. Wagner
Administrator
Water Quality Division

PLEASE DIRECT ALL INQUIRIES TO: Don McKenzie, Water & Wastewater Section Manager, Wyoming DEQ WQD, Herschler Building, 4th Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002. Telephone 307-777-7075.

JVC/JFW/MDB/bb/7-0624.NOV
JVC

xc: IPS
Mark Baron, Lander
Keith Guile, DEQ