



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

John Corra, Director

June 29, 2012

FILED

AUG 15 2012

Mr. Philip Dinsmoor, Environmental Services
Powder River Coal, LLC
Caller Box 3034
Gillette, WY 82717

Jim Ruby, Executive Secretary
Environmental Quality Council

RE: Notice of Violation

Dear Mr. Dinsmoor,

Enclosed you will find a Notice of Violation (NOV) issued to Powder River Coal, LLC by the Department of Environmental Quality, Air Quality Division, for the failure to minimize fugitive dust emissions from the North Antelope Rochelle Mine operations and adhere to the Air Quality Action Plan in violation of W.S. 35-11-201 of the Wyoming Environmental Quality Act, Chapter 3, Section 2(f) of the Wyoming Air Quality Standards and Regulations, and permit MD-6375A issued for operations at the North Antelope Rochelle.

As the Department and this Division consider the failure to comply with regulatory and permit requirements to be a serious matter, I am considering recommending the Department refer this violation to the State Attorney General's office requesting a suit be filed in District Court to recover appropriate penalties. If you would like to discuss settlement of this Notice of Violation prior to referral to the Attorney General's office, please contact Ms. Karen Godman, Air Quality Compliance Program Principal, at 307-777-8601 no later than ten (10) days after receipt of this letter.

Should you have any questions or comments regarding this matter, please feel free to contact me or Ms. Karen Godman.

Sincerely,

Steven A. Dietrich
Administrator
Air Quality Division

cc: Robert Gill
Nancy Vehr
Keith Guille
Tanner Shatto
Cara Keslar

