

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
DIRTWORKS LLC) DOCKET NO. 4213-08
2300 KNOLLWOOD)
GILLETTE, WYOMING 82718)
LIMITED MINING OPERATION 1113ET)

NOTICE

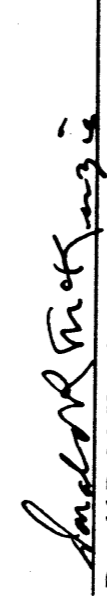
NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §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. The operator's inability to reclaim the disturbance was self reported to Land Quality Division (LQD). LQD confirmed that reclamation was not completed during the March 4, 2008, Bill Hogg inspection of the disturbance. This Limited Mining Operation is located in Carbon County.
3. The Inspection documented that the operators failed to reclaim the site as required by LQD Non-Coal Rules and Regulations Chapter 10, Section 5 (a) and the Environmental Quality Act §35-11-401(e)(viii).
4. 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 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.

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 12 day of March, 2008


John V. Coffa
Director
Department of Environmental Quality


Donald R. McKenzie
Administrator
Land Quality Division

Please direct all inquiries regarding this Notice of Violation to Mr. Lowell Spackman, District I Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, Herschler Building, 3rd W, 122 West 25th Street, Cheyenne, WY 82002

cc: Lowell Spackman, LQD
LMO 1113ET