

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF
VIOLATION ISSUED TO
MR. TERRY HANKINS
P.O. BOX 127
BAGGS, WY 82321
Permit 600s

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)
) DOCKET NO. 4272-08
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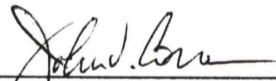
NOTICE

NOTICE IS HEREBY GIVEN THAT:

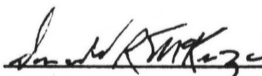
1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. The violations noted on this mine site were reported to the Land Quality Division (LQD) by the Bureau of Land Management (BLM) letters dated April 26, 2007 and August 9, 2007. The operator has not maintained the BLM requirement and fees for the claims that were permitted in the 600s area, the operator no longer has surface or mineral owner consent to operate.
3. On April 11, 2007, LQD notified Mr. Hankins that he must re-establish surface and mineral owner consent or begin reclamation of the disturbance within 120 days. The inspection of August 7, 2007 and April 24, 2008 by Bill Hogg, LQD, District I, determined that reclamation had not been completed. This mining disturbance is located in Carbon County.
4. Wyoming Statute §35-11-406(b)(xi) requires the operator to have surface owner consent. Wyoming Statute §35-11-415(b)(ix) requires the operator to reclaim the affected land as mining progresses in conformity with the approved reclamation plan. Mr. Hankins has failed to obtain surface and mineral owner consent and has not completed the reclamation.
5. 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 14 day of May, 2008



John V. Corra
Director
Department of Environmental Quality



Donald R. McKenzie
Administrator
Land Quality Division

Please direct all inquires 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

CERTIFIED MAIL # 7007 1490 0001 0235 7524
RETURN RECEIPT REQUESTED
DOCKET NO.

Permit 600s

cc: Lowell Spackman, LQD