

DEPARTMENT OF ENVIRONMENTAL QUALITY  
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO )  
GEORGE'S EXCAVATION )  
ATTN: Mrs. Winifred Allen ) DOCKET NO. 4286-08  
P.O. BOX 231 )  
SARATOGA, WY 82331 )  
487ET )

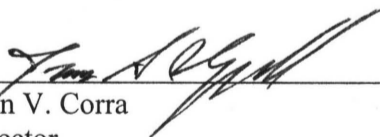
NOTICE

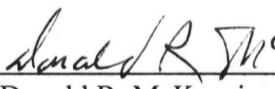
NOTICE IS HEREBY GIVEN THAT:

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. Mr. Bill Hogg with the Land Quality Division (LQD) conducted an inspection of 487ET on July 17, 2006. The mine site had been re-contoured, but attempts to establish vegetation for the post-mine land use have been unsuccessful. The mine site is located in the NW/4 of the SW/4 of Section 16 and in the NE/4 of the SE/4 of Section 17 of Township 16 North, Range 83 West of Carbon County.
3. Chapter 10, Section 5 (b) of the LQD Rules and Regulations requires the operator to reclaim affected lands to the post-mining land use. The failure to complete reclamation to post-mine land use is a violation.
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 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 10<sup>th</sup> day of June, 2008

  
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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, 3<sup>rd</sup> W, 122 West 25<sup>th</sup> Street, Cheyenne, WY 82002

CERTIFIED MAIL # 7007 1490 0001 0736 2382  
RETURN RECEIPT REQUESTED  
DOCKET NO. 4286-08