

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION
AND ORDER

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
CHARLES BYRNE)
BRIDGER VALLEY GRAVEL)
P. O. BOX 171)
MOUNTAIN VIEW, WYOMING 82939)
RE: Limited Mining Operations Notification)
Nos. 593ET 626ET, 705ET, and 870ET)

DOCKET NO. 3264-01

NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation is being sent to you pursuant to W.S. §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. On July 21, 1999, annual inspections of the Bridger Valley Gravel Limited Mining Operations Notification Nos. 593ET, 626ET, 705ET, and 870ET were conducted by John Erickson of the Land Quality Division, District II office. The pits are located within Uinta County, Wyoming as follows:

593ET - issued August 13, 1985 in the SW¼SW¼ sec. 34, T.15N., R.115W.
626ET - issued April 10, 1986 in the SW¼ sec. 27, T.13N., R.115W.
705ET - issued February 1, 1988 in the SE¼SW¼ sec. 17, T.12 N., R.113W.
870ET - issued December 17, 1992 in the SE¼SW¼ sec. 24, T.13N.,R.117W.
3. The inspections revealed that there had been no mining or reclamation activity at any of the pits since the previous inspections conducted October 22, 1996.
4. Bridger Valley Gravel has failed to file Annual Reports since 1997.
5. Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 5.(a)(i)(B) states that an operation will be considered to be abandoned if no further mining or reclamation work has been done from one annual report to the next.
6. Failure to commence reclamation after mining operations have ceased or within 30 days after the abandonment of the mining operation is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 5.(a).
7. Failure to provide an Annual Report is a violation of Land Quality Division Non-Coal Rules and Regulations, Chapter 10, Section 3.
8. The violations have not been corrected or remedied, nor has the operator provided any information to the Land Quality Division concerning the violations.
9. W.S. §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 thereunder 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.

ORDER

WHEREFORE, IT IS HEREBY ORDERED THAT:

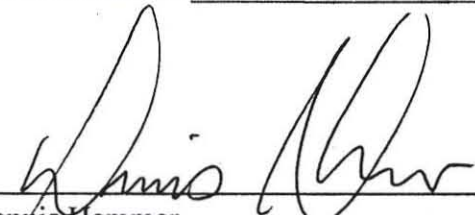
1. Bridger Valley Gravel shall submit Annual Reports for Permits 593ET, 626ET, 705ET, and 870ET for the years 1998 to the present within fifteen (15) days of the receipt of this Notice of Violation and Order.
2. Bridger Valley Gravel shall commence reclamation and restoration of all mining disturbances at Permits 593ET, 626ET, 705ET, and 870ET within thirty (30) days of the receipt of this Notice of Violation and Order, and sustain reclamation operations continuously until all sites have been completed. All mining disturbances will be reclaimed and seeded by the end of calendar year 2001.

THIS ORDER is final and binding, unless not later than ten (10) days after the day the Order is served, it is appealed by filing a written request for a hearing before the Environmental Quality Council. The request should be mailed to:

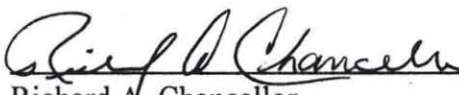
Chairman
Environmental Quality Council
Herschler Building
122 West 25th Street
Cheyenne, Wyoming 82002

NOTHING IN THIS ORDER shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Order be interpreted as being a condition precedent to any other enforcement action.

ORDERED this 2nd day of May, 2001



Dennis Hemmer
Director
Department of Environmental Quality



Richard A. Chancellor
Administrator
Land Quality Division

Please direct all inquires regarding this Notice of Violation and Order to Mr. John Erickson, Wyoming Department of Environmental Quality, Land Quality Division, Lander Field Office, 250 Lincoln Street, Lander, WY 82520. Telephone No. (307)332-3047.

CERTIFIED MAIL, RETURN RECEIPT REQUESTED # 7000 0520 0024 2773 9592

DOCKET NO. 3264-01

LIMITED TEN ACRE MINING EXEMPTION's (ET's), 593ET, 626ET, 705ET, and 870ET

cc: John Burbridge, Assistant Attorney General
John Erickson, District II
Georgia Cash Hoenig, LQD
Bridger Valley Gravel, Permits 593ET, 626ET, 705ET, and 870ET