

11-4501

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
RICHARD D. HOVANDER)
CARBON ENERGY CO., INC.)
2325 WEST MAIN ST.)
RIVERTON, WY 82501)
Re: Limited Mining Operation 578ET)

DOCKET NO. 4275-08

FILED

APR 18 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

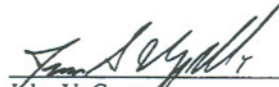
NOTICE

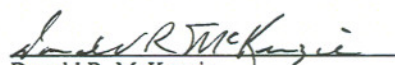
NOTICE IS HEREBY GIVEN THAT:

1. This 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 September 10, 2007 an inspection of Carbon Energy's scoria pit operated under the Limited Mining Operation (LMO) No. 578ET was conducted by Steve Platt of the Land Quality Division, District 2 Office. The LMO was issued on May 23, 1985 and the pit is located in SE1/4SW1/4 of Section 36, T34N, R94W, 6th Principal Meridian in Fremont County east of Riverton.
3. The September 10, 2007 inspection conducted by Steve Platt revealed that there has been no mining or reclamation activity since the previous inspection conducted on July 8, 1997. In addition, no activity has occurred at the pit since at least 1991.
4. 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 for one annual report to the next.
5. 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).
6. The violation has not been corrected or remedied, nor has the operator provided any information to the Land Quality Division concerning the violation.
7. 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 there under 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 THIS NOTICE 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.

SIGNED this 16th day of June, 2008


John V. Corra
Director
Department of Environmental Quality


Donald R. McKenzie
Administrator
Land Quality Division

Please direct all inquiries regarding this Notice of Violation to Mr. Steve Platt or Mr. Mark Moxley, 510 Meadowview Dr., Lander, WY 82520. Telephone No. (307) 777-7823.

CERTIFIED MAIL, RETURN RECEIPT REQUESTED #7007 1490 0001 0736 2344
DOCKET NO. 4275-08

Cc: LQD District 2 Supervisor - Lander
LQD - Cheyenne