

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

FILED

OCT 29 2013

**IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BOND OF)
WOLVERINE OPERATIONS, LLC)
1240 ET - LIMITED MINING OPERATION)**

Jim Ruby, Executive Secretary
Environmental Quality Council

Docket No. 13-4501

ORDER OF BOND FORFEITURE

THIS MATTER came before the Wyoming Environmental Quality Council on a motion from the Wyoming Department of Environmental Quality for forfeiture of bond against Wolverine Operations, LLC. The Council, having reviewed the motion and having been otherwise fully informed, MAKES THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. On May 19, 2003 the DEQ authorized Wolverine Operations, LLC to conduct a limited scoria mining operation under permit number 1240ET Limited Mining Operation, located in Section 28, T55N, R78W in Sheridan County, Wyoming. Wolverine Operations, LLC posted a \$4,000.00 cash reclamation performance bond on May 5, 2003.
2. The DEQ issued Notice of Violation No. 5061-12 to Wolverine Operations, LLC on December 3, 2012 because Wolverine failed to demonstrate active mining at the above location and to commence reclamation of the area disturbed by its mining operations within thirty days after abandonment.
3. The Council approved the DEQ's request to initiate bond forfeiture proceedings against Wolverine on March 15, 2013.

4. On May 29, 2013, the Office of the Attorney General mailed *Notice of Proposed Bond Forfeiture for Limited Mining Operation 1240ET* to Wolverine via certified mail. The Notice informed Wolverine that the Council would enter an order of forfeiture against Wolverine's cash reclamation bond unless Wolverine made written demand within 30 days of receipt of the Notice for a hearing before the council. Wolverine received the Notice on or about June 6, 2013. Wolverine did not make written demand for a hearing.

5. The record in this matter establishes that the DEQ has satisfied the requirements of Wyo. Stat. Ann. § 35-11-421 in pursuit of forfeiture of Wolverine's \$4,000.00 cash reclamation performance bond.

The Environmental Quality Council, being otherwise fully advised, HEREBY ORDERS:

1. Forfeiture Wolverine Operations, LLC's cash reclamation performance bond in the amount of \$4,000.00 to the Wyoming Department of Environmental Quality, Land Quality Division, to be used by the DEQ for reclamation of all lands affected by limited mining operations under permit number 1240ET Limited Mining Operation.
2. Any proceeds remaining after reclamation shall be subject to any claim by the people of the State of Wyoming.
3. Any funds remaining after reclamation and payment of other claims shall be returned to Wolverine, if it can be located.

DATED this 27 day of Oct., 2013

WYOMING ENVIRONMENTAL QUALITY
COUNCIL

A handwritten signature in blue ink, appearing to read "F. Lee Wade", written in a cursive style.

Chairman

CERTIFICATE OF SERVICE

I, Tyffanne Rowan, certify that at Cheyenne, Wyoming, on the 29th day of October, 2013, I served a copy of the foregoing **ORDER OF BOND FORFEITURE** by electronic mail to the following:

Matthias Sayer
Asst. Attorney General
matthias.sayer@wyo.gov

and by depositing copies of the same in the United States mail, postage prepaid, overnight delivered, duly enveloped and addressed to:

Wolverine Operations, LLC
1905 Abbott Rd. Suite 1
East Lansing, MI 48823

Freudenthal & Bonds, P.C.
129 E. Carlson St.
Cheyenne, WY 82009



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