

DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)
MR. WILLIAM SALISBURY, PRESIDENT)
AMERICAN NUCLEAR CORPORATION)
PO BOX 2713)
CASPER, WYOMING 82601)
RE: PERMIT TO MINE NO. 352)

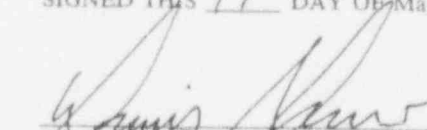
DOCKET NO. 2557-94

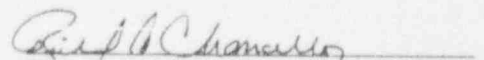
NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. This notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that a written notice be issued in the case of failure to correct or remedy an alleged violation.
2. Permit to Mine No. 352 was issued June 30, 1975 to Federal-American Partners. The permit was transferred to American Nuclear Corporation on April 25, 1984. A permit revision was approved on February 28, 1985 consisting of an updated reclamation plan.
3. On or about May 9, 1994 the DEQ became aware that American Nuclear Corporation intended to go out of business, effectively abandoning their Gas Hills property. Refer to American Nuclear's letter dated May 9, 1994 to the Nuclear Regulatory Commission and their press release of the same date.
4. W.S. § 35-11-405 (b) provides that a mining permit remains valid and in force from the date of issuance until the termination of all mining and reclamation operations.
5. W.S. § 35-11-415 (a) requires every operator to comply with all requirements of the act, rules and regulations and reclamation plans contained in any permit.
6. W.S. § 35-11-415 (b)(ix) requires that the operator reclaim the affected land in conformity with the approved reclamation plan.
7. As of the date of this notice approximately 340 acres of affected lands still require reclamation under the conditions of permit to mine no. 352. This includes tailings pond no. 1, tailings pond no. 2, the millsite and various roads, drainage diversions and borrow areas. No significant reclamation work has been conducted under this permit since 1990.
8. The violations have not been corrected or remedied nor has the operator provided any response concerning the violations.
9. 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 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.

SIGNED THIS 19 DAY OF May, 1994.


Dennis Hemmer, Director
Department of Environmental Quality


Richard A. Chancellor, Acting Administrator
Land Quality Division

Please direct all inquiries regarding this notice to: Mark Moxley, District II Supervisor, Land Quality Division, 250 Lincoln St., Lander, Wyoming, 82520, Telephone (307) 332-3047.

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