

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUN 06 2006

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BONDS OF)
LYNN H. GROOMS,)
MINING PERMIT 618s.)

Docket No. *05-4403*

ORDER OF BOND FORFEITURE

THIS MATTER having come before the Wyoming Environmental Quality Council on a motion from the Department of Environmental Quality for bond forfeiture against Lynn H. Grooms (Grooms), and the Council having reviewed the motion and having been otherwise fully informed:

MAKES THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. Grooms posted reclamation performance bonds for five hundred dollars (\$500.00) and a two thousand dollars (\$2,000.00), in the form of Certificate of Deposit Numbers 276 and 2736 respectively, issued by the Western Bank of Cody to conduct a small mining operation located on BLM lands in Section 22, T53N, R102W, in Park County, immediately west of Cody, Wyoming.
2. The DEQ issued Notice of Violation No. 3598-04 to Grooms on October 11, 2004 because the mining site had been inactive since at least October 9, 2002, and Grooms had failed to commence reclamation of the area disturbed during it mining operation.
3. The Environmental Quality Council approved the DEQ's request to initiate bond forfeiture proceedings against Grooms on February 15, 2006.
4. On March 1, 2006, the Office of the Attorney General mailed notice to Grooms by certified mail that the Council would enter an order forfeiting its bond unless he demanded a hearing before the Council within thirty days. Grooms received the notice on March 3, 2006.
5. Neither the Office of the Attorney General, the DEQ or EQC has a record of a request for a hearing before the Council from Grooms.

6. The record in this matter establishes that the Department of Environmental Quality has satisfied all requirements for bond forfeiture pursuant to WYO. STAT. § 35-11-421, for Certificate of Deposit Numbers 276 and 2736, issued by the Western Bank of Cody.

The Council, being otherwise fully advised on the premises, HEREBY ORDERS:

1. The aforementioned reclamation performance bond be forfeited to the Wyoming Department of Environmental Quality, Land Quality Division, to be used by the Department for the reclamation of all lands affected by the aforementioned 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 Lynn H. Grooms, if he can be found.

DATED this 20 day of May, 2006.

WYOMING ENVIRONMENTAL QUALITY COUNCIL


Chairman

CERTIFICATE OF SERVICE

I, Terri Lorenzon, do hereby certify that the foregoing ORDER FOR BOND FORFEITURE was served by placing a true and correct copy in the United States mail, postage prepaid, on this 10th day of June, 2006, addressed to the following:

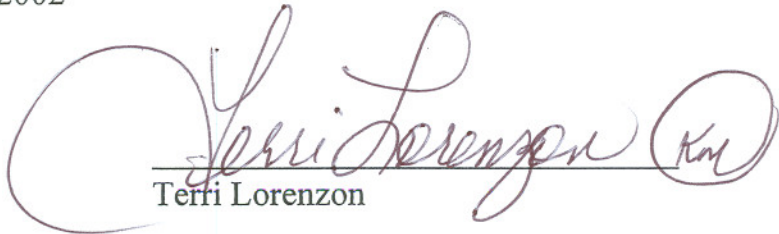
Mrs. Lynn H. Grooms
P.O. Box 1447
Cody, Wyoming 82414

AND also to the following person via interoffice mail of the State of Wyoming:

John Corra, Director
Department of Environmental Quality
Herschler Building
Cheyenne, WY 82002

Richard Chancellor, Land Quality Administrator
Department of Environmental Quality
Herschler Building
Cheyenne, WY 82002

John S. Burbridge
Attorney General's Office
123 Capitol Building
Cheyenne, Wyoming 82002


Terri Lorenzon