

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

IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BOND OF) **Docket No. 21-4501**
In RE Mineral Technology Corp.)
LE0258)

BOND FORFEITURE ORDER

This matter comes before the Wyoming Environmental Quality Council on the Wyoming Department of Environmental Quality, Land Quality Division's motion for forfeiture of Mineral Technology Corporation's reclamation performance bond for License to Explore No. LE0258. The Council, having reviewed the motion and being otherwise fully informed, makes the following findings of fact and conclusions of law:

1. Mineral Technology Corporation (MTC) posted a \$5,000.00 reclamation bond for LE0258, in the form of a Certificate of Deposit issued by First Interstate Bank (Bond No. 12371). Under LE0258, MTC disturbed approximately two acres at a location approximately two miles southwest of Encampment, Wyoming.
2. MTC has not engaged in exploration activities at LE0258 since 2006.
3. MTC has not reclaimed any of the surface disturbance it created at LE0258.
4. On March 14, 2009, the Wyoming Secretary of State revoked MTC's status as a profit corporation due to delinquent taxes.

5. MTC filed a petition for Chapter 11 bankruptcy in the U.S. Bankruptcy Court for the District of South Dakota on July 23, 2015. MTC's bankruptcy was later converted to a Chapter 7 liquidation proceeding.

6. On March 22, 2021, the Department issued MTC a Notice of Violation for failure to complete its reclamation obligations at LE0258 (Docket No. 6081-21).

7. The Council approved the Department's request to initiate bond forfeiture proceedings against MTC on August 17, 2021.

8. On August 31, 2021, the Attorney General's Office sent notice of the forfeiture proceedings to Mineral Technology Corporation, Forrest Allred (the Trustee of MTC's bankruptcy estate), and First Interstate Bank. The notice stated that the Council would enter an order forfeiting MTC's bond unless MTC requested a hearing within thirty days. Each party received the above-described notice by certified mail.

9. Neither MTC, nor Forrest Allred, nor First Interstate Bank requested a hearing before the Council.

10. The Department has satisfied all requirements for bond forfeiture pursuant to Wyo. Stat. Ann. § 35-11-421.

Therefore, the Council hereby orders that Reclamation Bond No. 12371 in the amount of \$5,000.00 is forfeited to the Department for use by the Department to reclaim all lands affected by MTC at License to Explore No. LE0258.

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DATED this 16 day of November, 2021.



John Corra, Chairman
Environmental Quality Council