

LKA



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

John Corra, Director

October 12, 2012

9-28-12
KP

Mr. Randy Stevens
Quality Landscape & Nursery
P.O. Box 1074
Saratoga, WY 82331

**RE: Limited Mining Operation (LMO) 1496ET, Quality Landscape & Nursery
2012 Annual Inspection and 2011-2012 Annual Report Review**

Mr. Stevens:

Enclosed is the 10-Acre Limited Mining Operation Inspection Form for the Wyoming Department of Environmental Quality, Land Quality Division (LQD) annual inspection conducted September 28, 2012 at the Permit # 1496ET. The 2011-2012 Annual Report (AR) was received by the LQD on May 8, 2012. The compliance section of the inspection report details the mitigation items and action required by the operator. Please address the compliance issues as soon as possible.

If there are any incorrect or misleading statements within this report, or if you have any comments, please respond in writing in order for your comments to become part of the written record in the permit file.

If you have any questions or require further information, please contact me at 307-777-5922 or brian.goodnough@wyo.gov.

Sincerely,

Brian Goodnough
Surface Water Hydrologist
LQD, Division One

Enclosure: 2012 Annual Inspection Report and 2011-2012 Annual Report Review

DEQ Exhibit 2

DEQ 2 - 0001



10 ACRE LIMITED MINING OPERATION INSPECTION FORM



Land Quality Division / 122 West 25th St. / Cheyenne, WY 82002
(307) 777-7057 FAX: (307) 777-5864

ET #: 1496ET	Inspection Date: 9/28/12
Operator: Quality Landscape & Nursery	Last Annual Report Received: 5/8/12
Pit Name: N/A	Date of Last Inspection: 3/22/10
Inspectors Names: Brian Goodnough (LQD)	Current Bond Amount: \$1,000.00
Participants: N/A	Landowner: <input checked="" type="checkbox"/> Private <input type="checkbox"/> State <input type="checkbox"/> Federal
Status: <input checked="" type="checkbox"/> Active <input type="checkbox"/> Inactive	Mineral Owner: <input checked="" type="checkbox"/> Private <input type="checkbox"/> State <input type="checkbox"/> Federal
<input type="checkbox"/> In Reclamation <input type="checkbox"/> Abandoned	

	Adequate?	Comments
Permit Signs	Y	A permit sign was in-place at time of inspection.
Topsoil Signs	N/A	No topsoil stockpiles located on site.
Topsoil Salvage	N/A	Not topsoil stockpiles located on site.
Topsoil Protection	N/A	No topsoil stockpiles located on site.
Native Disturbance	Y	No new native disturbance.
Erosion	N	Erosion and sedimentation within the canal.
Roads & Culverts	Y	Roads are in stable condition. No culverts.
Impoundments	N/A	No impoundments exist at the mining operation.
Highwalls	Y	Active highwall and sections are stable.
Blasting	N/A	No blasting at the site.
Solid Waste on site	Y	No solid waste stored on site.
Fuel Storage / Spills	Y	No fuel/petroleum products stored on site or evidence of spills.
List equipment on site	Y	Water tank, generator, and storage container on site.
Dust concerns	Y	No dust concerns.
Reclamation	Y	No reclamation during this reporting period.
Vegetation established	Y	No seeding has occurred at this site.
Weeds present	Y	No weeds present.
Slope / Grading	Y	Highwall reduction and stability activities have begun at site.
Through Drainage	Y	Pit has flow through drainage.

GPS INFORMATION:

Total Disturbed Acreage: 2.0	Rover Filename: Not Collected
Permitted Acreage: 10.0	GPS Model: N/A
Access Road Acreage: Not Collected	Photos attached: <input checked="" type="checkbox"/> Y or <input type="checkbox"/> N
Other features: Not Collected	Map attached: <input type="checkbox"/> Y or <input checked="" type="checkbox"/> N

HISTORY

Randy Stevens of Quality Landscape was originally approved for a Limited Mining Operation (1421ET) for 1.0 acre of disturbance in Section 14, Township 17N, Range 84W on February 7, 2008. The disturbance was located inside the Saratoga City limits at the corner of Maple and Cyprus. Mr. Stevens is in the Landscaping business in the Saratoga area and had bought a half of a city block that he plans to use as an equipment and materials storage yard after it is leveled off. Mr. Stevens had stated that he needed to remove dirt from the hilly terrain so that the lots can be used as commercial or residential lots in the future. He needed to remove at least 6 feet of dirt to attach to the Saratoga city sewer. He plans on selling the dirt on a long term basis through his landscaping business. Mr. Stevens stated that he had contacted the City and had their approval for this operation. He purchased the lots on January 16, 2008. The nine lots in block 11 are less than 1 acre in size. The original authorization was terminated after the City of Saratoga informed LQD that the City had prohibited the operation within the city limits.

This Limited Mining Operation was approved on July 22, 2010, after the Settlement Agreement signed by Judge Wade Waldrip between Mr. Stevens and the Town of Saratoga, was received by LQD requiring Mr. Stevens to have all required DEQ permits.

2011-2012 ANNUAL REPORT:

The Land Quality Division (LQD) received the 2011-2012 Annual Report (AR) on May 8, 2012 that covers the time period from July 16, 2011 through July 15, 2012. This information is consistent with observations made during the 2012 Annual Inspection.

- The AR indicted that 1.0 acre was disturbed life of mine.
- No new disturbance has occurred and 680 tons of material was removed during the reporting period.
- No overburden or topsoil salvaged during this reporting period.
- The AR states 3,600 square feet of area will be developed for commercial use.

COMPLIANCE ASSESSMENT:

- The operation was not active at time of inspection. A water tank, landscape equipment, and generator were on location during the inspection.
- Permit identification signs was in place at time of inspection (**Photo #1**).
- A small berm was constructed between the canal and mining operation to manage the sedimentation and deposition from the mine operation. The sediment control measures appear to be functional but sediment continues to be deposited in the canal (**Photo #2**). A hay bale was placed in the canal to prevent sediment moving beyond the bridge (**Photo #3**).
- The highwall reduction and stability activities continue at the mine operation (**Photo #4**). A steel wall has been installed to stabilize the highwall and the area between the adjacent lot.

ACTION REQUIRED BY OPERATOR:

- The operator must construct sediment control measures to contain sediment on the mine site and seed the small berm to allow vegetation to stabilize soil. Any sediment deposited in the canal from the operation must be removed.

ADDITIONAL COMMENTS:

- GPS Location: N349118, W4590273
- Weather: 67° F, Sunny, Breezy @ 1725

Inspector Signature / Date:

John Hardy *10/12/12*

COPY SENT: Operator BLM Private Landowner Other

PHOTO ADDENDUM



Photo #1: Permit identification sign in place at the entrance of mine.



Photo #2: General overview of constructed berm and canal looking east. Sediment continues to deposit in canal.



Photo #3: General overview of canal looking northeast direction. Sediment control measures (hay bale) located in the canal.



Photo #4: General overview of highwall looking east direction. Steel wall installed to stabilize the slope.