



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

Todd Parfitt, Director

Certified Mail Return Receipt Requested: 7013 0600 0002 3992 6475

Mr. Brian Good
Good Bentonite Company
3796 Lane 32½
Greybull, WY 82426

RE: Bond Amount for Permit No. PT-533, Good Bentonite Company, Bear Creek North

Dear Mr. Good:

The information presented in the 2015-2016 Annual Report for Permit No. PT-533 has been reviewed by the Wyoming Department of Environmental Quality - Land Quality Division (WDEQ/LQD) District 2 staff, and the Annual Inspection required by W.S. §35-11-411(c) was conducted on November 7, 2016.

The record shows that on March 19, 2013 the WDEQ and Good Bentonite entered into a settlement stipulating that Good Bentonite would provide \$40,000.00 to fulfill the bond obligation for PT 533. The bond in place at that time was \$13,000.00. The additional \$40,000.00 was necessary to bring the bond up to the full reclamation cost estimate of \$53,000.00. This reclamation cost estimate was again established two years later by the Director's Bond Letter dated December 16, 2015. The required \$40,000 bond increase has not been received by WDEQ.

The WDEQ review of the current annual report combined with the information collected during the subsequent annual inspection decreased the reclamation cost estimate from the 2015 value due to reduced fuel costs. The new reclamation bond estimate was included in the inspection report sent to you on January 24, 2017, and you have not responded with any concerns regarding the bond amount. This bond estimate calculation using LQD Guideline 12A and validation through the inspection is the same methodology used in estimating the required total bond for all permittees.

In accordance with W.S. §35-11-411(d), the bond amount is set at \$43,600.00. This represents an increase of \$30,600 from the current bond amount held by DEQ of \$13,000. The \$30,600.00 bond shortfall shall be paid in full within thirty (30) days from the date of this letter. Please contact Ms. Kimber Wichmann, DEQ Chief Economist, at (307) 777-7369 for information on how to submit the bond.

This bond amount is based only on an estimate of the cost of the state performing reclamation in the event of bond forfeiture. If this estimate proves to be less than the amount required, the Department will bring suit to recover the additional cost as allowed under W.S. §35-11-422.

Exhibit DEQ 5

If you have any questions regarding the bond amount, please contact Brian Wood in the Lander District 2 Office at (307) 332-3047.

Sincerely,



Todd Parfitt
Director

Date: March 15, 2017

cc: Andrew Kuhlmann – Attorney General’s Office
Kim Pandullo – Cheyenne WDEQ-LQD
Tammi Pusheck - Cheyenne WDEQ-LQD
Connie Osborne – Cheyenne WDEQ
Kimber Wichmann – WDEQ Chief Economist
Nancy Williams – Lander WDEQ-LQD
Brian Wood – Lander WDEQ_LQD