

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

FILED

APR 27 2010

Jim Ruby, Executive Secretary  
Environmental Quality Council

In the Matter of the Appeal of )  
NOV & Order Issued to )  
Shane R. Taylor )  
Property Owner )  
Former VP&S Equipment )

Docket No. 09-5212A

**DEQ'S UNOPPOSED MOTION FOR CONTINUANCE OF ORAL ARGUMENTS**

Respondent, Wyoming Department of Environmental Quality (DEQ) hereby submits this motion for a continuance of the oral arguments scheduled for May 13, 2010 on the below stated grounds.

DEQ has recently been in contact with the United States Environmental Protection Agency (EPA) regarding the Valley Post and Sawmill site. EPA has verbally committed to remediating and disposing of the tanks associated with this appeal. EPA has stated that this undertaking could occur as soon as May 10, 2010. If EPA conducts its remedial activities on the tanks, DEQ will have no basis to pursue the underlying Notice of Violation and Order # 4521-09 further and the case can be dismissed. Counsel for Respondent has spoken with Mr. Taylor regarding this motion and Mr. Taylor does not oppose a continuance.

DATED this 27<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
Luke J. Esch (Bar No. 6-4155)  
Assistant Attorney General  
123 State Capitol Building  
Cheyenne, Wyoming 82002  
307-777-6946

**CERTIFICATE OF SERVICE**

This certifies that true and correct copies of the foregoing DEQ'S UNOPPOSED MOTION FOR CONTINUANCE OF ORAL ARGUMENTS was served this 27<sup>th</sup> day of April, 2010 by United States mail, first class postage prepaid addressed as follows:

Shane R. Taylor  
Former VP&S Equipment  
8100 Ptarmigan #3  
Gillette, WY 82718

A handwritten signature in blue ink is written over a horizontal line. The signature is stylized and appears to be the initials 'ST' followed by a surname.