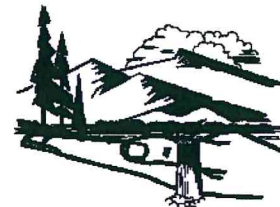




Department of Environmental Quality

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

W.E. Bensel
32 River Road
Ranchester, WY 82839

RE: Proposed Brook Mine Permit Application, Sheridan County – TFN 6 2/025
Public Comment Period

Dear Mr. Bensel:

Your letter regarding the proposed Brook Mine permit application has been received by the Department of Environmental Quality (DEQ). The public notice and approval process for such surface coal mine permit applications is addressed in Wyoming Statute § 35-11-406. Several of the comment letters received by the DEQ requested an informal conference be conducted on the permit application and on specific objections to the application.

I have carefully considered the objections received and determined that an attempt to informally resolve the disputes is unlikely to be successful through the informal conference process. Therefore, I am referring this permit application to the Environmental Quality Council (EQC) for their review and determination at a contested case hearing. Your comment letter, and all others received by the Department are being forwarded to the EQC. The EQC will be in contact with you regarding arrangements for a hearing before them. If you would like to contact the EQC directly for more details regarding their process, they can be reached at:

Wyoming Environmental Quality Council
122 W. 25th
Herschler Bldg. 1W, Room 1714
Cheyenne, WY 82002
Phone: (307) 777-7170
Email: eqc-all@wyo.gov

Thank you for sharing your comments with the Department regarding this proposed new mine permit application. Your participation in the public review process is important and very helpful to the Department and the State.

Sincerely,

[Handwritten signature of Todd Parfitt]

Todd Parfitt
Director

Date: Jan. 30, 2017

cc: Alan Edwards, Deputy Director DEQ
Jim Ruby, Executive Secretary, Wyoming Department of Environmental Quality