



Jim Ruby <jim.ruby@wyo.gov>

Re: Technically inadequate permit (WDEQ-LQD Mining Permit 267C – WSL04 – TFN #6 1/197)

1 message

Ronald Ericsson <ericsson@childselect.com>

Thu, Aug 30, 2018 at 4:18 PM

To: Kyle Wendtland <kyle.wendtland@wyo.gov>

Cc: "todd.parfitt@wyo.gov" <todd.parfitt@wyo.gov>, "josh.malmberg@wyo.gov" <josh.malmberg@wyo.gov>, "jim.ruby@wyo.gov" <jim.ruby@wyo.gov>, "kari.gray@wyo.gov" <kari.gray@wyo.gov>, "SecofState@wyo.gov" <SecofState@wyo.gov>, "bridget.hill1@wyo.gov" <bridget.hill1@wyo.gov>, "Ogden.Driskill@wyoleg.gov" <Ogden.Driskill@wyoleg.gov>, Lucy Pauley <lucy.pauley@wyo.gov>, "Lyndon.Bucher@mineralstech.com" <Lyndon.Bucher@mineralstech.com>, "don.eisenhour@colloid.com" <don.eisenhour@colloid.com>, "mark.wardell@colloid.com" <mark.wardell@colloid.com>, "sara.vetter@colloid.com" <sara.vetter@colloid.com>, "rodney.raber@colloid.com" <rodney.raber@colloid.com>, "rodney.wheaton@mineralstech.com" <rodney.wheaton@mineralstech.com>, "jason.schneider@mineralstech.com" <jason.schneider@mineralstech.com>, Melody Smith <melody.smith@colloid.com>, Joel Severin <joel.severin@halliburton.com>, Tyler Tetrault <tyler.tetrault@halliburton.com>, "Warren.Scott@halliburton.com" <Warren.Scott@halliburton.com>, Roxie Dacar <roxiedacar@gmail.com>, Jim Dacar <jimdacar@gmail.com>, Levi Dacar <levi.dacar@wyo.gov>, "dacar9625@gmail.com" <dacar9625@gmail.com>, "mvictoria.ericsson@gmail.com" <mvictoria.ericsson@gmail.com>, Spencer Ericsson <ericsson1337@yahoo.com>, "gargawill@gmail.com" <gargawill@gmail.com>, Julie Anderson <bakergirlhomade@aol.com>, Jean Ericsson <gam4@rangeweb.net>, "rolandericsson@cox.net" <rolandericsson@cox.net>, Beverly Keegan <bkeegan@vcn.com>, Kim Hayworth <khayworth@midco.net>, "treasurer@wyo.gov" <treasurer@wyo.gov>, "askthesuperintendent@wyo.gov" <askthesuperintendent@wyo.gov>, "SAOAdmin@wyo.gov" <SAOAdmin@wyo.gov>, Jennifer Hartman <jennifer.hartman@halliburton.com>, "james.kaste@wyo.gov" <james.kaste@wyo.gov>

BPM plans to destroy 10,936 trees. 2U Ranch has asked again and again how DEQ/BPM can comply with the statutes that requires the land be restored to conditions equal to or greater than prior to being mined - never received an answer.. Once again I ask you to please explain how DEQ can offer a permit when everyone know the land can not be restored as required by statutes. We await your reply other than referring us to a prior response that had no substance. It is way past time for DEQ and BPM to face up to reality and stop wasting our time. No one, not ever President Trump, can replace 10,936 tress some with a life span of 400 years. This charade has gone on way too long. The DEC hearing is just the first step in getting DEQ and BPM to comply with Wyoming statutes, regulation and rules. Plus, BPM must first obtain trespass rights from a number of landowners. From our perspective DEQ is not cooperating with the surface landowner which is wrong. The purpose is to resolve differences not just to protect DEQ. BPM wants a permit going to the year 2040. At the rate this application to mine is going it may take that long to just get these deficiencies corrected. DEQ and BMP are however creating a lot of gossip around Colony.

From: Kyle Wendtland <kyle.wendtland@wyo.gov>

Sent: Thursday, August 30, 2018 3:44 PM

To: Ronald Ericsson

Cc: todd.parfitt@wyo.gov; josh.malmberg@wyo.gov; jim.ruby@wyo.gov; kari.gray@wyo.gov; SecofState@wyo.gov; bridget.hill1@wyo.gov; Ogden.Driskill@wyoleg.gov; Lucy Pauley; Lyndon.Bucher@mineralstech.com; don.eisenhour@colloid.com; mark.wardell@colloid.com; sara.vetter@colloid.com; rodney.raber@colloid.com; rodney.wheaton@mineralstech.com; jason.schneider@mineralstech.com; Melody Smith; Joel Severin; Tyler Tetrault; Warren.Scott@halliburton.com; Roxie Dacar; Jim Dacar; Levi Dacar; dacar9625@gmail.com; mviactoria.ericsson@gmail.com; Spencer Ericsson; gargawill@gmail.com; Julie Anderson; Jean Ericsson; rolandericsson@cox.net; Beverly Keegan; Kim Hayworth; treasurer@wyo.gov; askthesuperintendent@wyo.gov; SAOAdmin@wyo.gov; Jennifer Hartman

Subject: Re: Technically inadequate permit (WDEQ-LQD Mining Permit 267C – WSL04 – TFN #6 1/197)

Dear Mr. Ericsson:

Please reference my letter of April 24, 2018.

Sincerely, Kyle J. Wendtland

On Thu, Aug 30, 2018 at 3:33 PM, Ronald Ericsson <ericsson@childselect.com> wrote:

Please respond.

From: Ronald Ericsson on behalf of Ronald Ericsson <ericsson@childselect.com>

Sent: Friday, **July 20, 2018 3:11 PM**

To: kyle.wendtland@wyo.gov

Cc: todd.parfitt@wyo.gov; josh.malmberg@wyo.gov; jim.ruby@wyo.gov; kari.gray@wyo.gov; SecofState@wyo.gov; bridget.hill1@wyo.gov; Ogden.Driskill@wyoleg.gov; Lucy Pauley; Lyndon.Bucher@mineralstech.com; don.eisenhour@colloid.com; mark.wardell@colloid.com; sara.vetter@colloid.com; rodney.raber@colloid.com; rodney.wheaton@mineralstech.com; jason.schneider@mineralstech.com; Melody Smith; Joel Severin; Tyler Tetrault; Warren.Scott@halliburton.com; Roxie Dacar; Jim Dacar; Levi Dacar; dacar9625@gmail.com; mviactoria.ericsson@gmail.com; Spencer Ericsson; gargawill@gmail.com; Julie Anderson; Jean Ericsson; rolandericsson@cox.net; Beverly Keegan; Kim Hayworth; treasurer@wyo.gov; askthesuperintendent@wyo.gov; SAOAdmin@wyo.gov; Jennifer Hartman

Subject: Technically inadequate permit (WDEQ-LQD Mining Permit 267C – WSL04 – TFN #6 1/197)

July 20, 2018

Kyle Wendtland
Administrator
Department of Environmental Quality

200 West 17th Street
Cheyenne, WY 82002

RE: Technically inadequate permit (WDEQ-LQD Mining Permit 267C – Wyoming State Mineral Lease 42804 – TFN #6 1/197)

Dear Mr. Kyle J. Wendtland:

The WDEQ-LQD Mining Permit 267C – Wyoming State Mineral Lease 42804 – TFN #6 1/197) is technically inadequate for the following reasons:

Section 2.11.8.6 Post-mining Tree Restoration states “The permittee will not replant the destroyed trees unless the surface owner specifically requests restoration in writing. If a surface owner wants trees replanted, the permittee will include specific Reclamation Plan text which details the replanting methods and locations.”

We have requested in writing (see attached certified letter to Bentonite Performance Minerals (BPM) 11/13/2007) that all of the 10,936 trees that will be disturbed by mining to be replanted.

Section 2.11.41-6 Revegetation & Seed – The latest version sent by BPM eliminated the statement “However, the landowner, Lonesome County LC, has requested that no trees be replaced in the reclamation”. This was incorrect landownership. The landowners are members of the 2U Ranch, LLC not Lonesome County LC and we want tree reclamation. We would like the permit to be amended to reflect the true landowners and to state that we want tree reclamation.

Section 2.11.41 Wyoming State Lease 42804 (WSL04) Amendment Reclamation Plan does not include specific Reclamation Plan text which details the replanting methods and locations as required by Section 2.11.8.6 Post-mining Tree Restoration of the permit. We would like the permit to be amended to provide the required information on the replanting of trees.

Sincerely,

Ronald J. Ericsson, PhD
Scott A. Ericsson, PhD
Roland S. Ericsson, Attorney at Law

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Kyle J. Wendtland
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Land Quality Division
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