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**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

In the Matter of: Petitioner Big Horn LLC)	
Permit No. WYW0027731)	Docket No. 21-3601
)	
)	

NOTICE OF NONOPPOSITION TO PETITIONER'S REQUEST FOR STAY

COMES NOW, the State of Wyoming, Department of Environmental Quality, Water Quality Division ("DEQ") and hereby notifies the Council that it does not oppose, and in these unique circumstances supports, Petitioner Vaquero Big Horn, LLC's Request for Stay in the above-captioned matter. In support of this notice, DEQ states as follows:

1. On November 23, 2021, Vaquero appealed from Wyoming Pollutant Discharge Elimination System Program ("WYPDES") Permit No. WYW002731, issued by DEQ on October 26, 2021 ("2021 Permit Renewal"). The 2021 Permit Renewal authorizes discharges associated with an oil treatment plant located in Park County ("Facility").
2. The appeal included a request to stay the 2021 Permit Renewal, to allow Vaquero to operate the Facility under the terms and conditions of the 2016 WYPDES permit pending resolution of the appeal.

3. On December 17, 2021, the Council issued an order setting a hearing on the Request for Stay for January 19, 2022.
4. Due to the unique technical attributes of the permit and the Facility, DEQ agrees that a stay of the 2021 Permit Renewal pending resolution of this appeal is appropriate. Therefore, DEQ does not oppose Vaquero's Request for Stay.

WHEREFORE, the DEQ requests that the Council cancel the hearing on Vaquero's Request for Stay and enter an order granting the requested stay to allow Petitioner to operate the Facility under the 2016 Permit pending resolution of the appeal. A proposed order granting the stay, approved as to form by counsel for both parties, is submitted herewith.

Submitted this 11th day of January, 2022.



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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of January 2022, a copy of the foregoing was filed electronically with the Wyoming Environmental Quality Council's online docket system and copies were served the persons listed below as follows:

Via Mail and Electronic Mail

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