

**FILED**

**JUL 30 2010**

**Jim Ruby, Executive Secretary  
Environmental Quality Council**

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Attorney for the State of Wyoming,  
Department of Environmental Quality

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

In the Matter of: )  
Basin Electric Power Cooperative ) Docket No. 10-2802  
Air Quality Permit No. MD-6047 )  
BART Permit: Laramie River Station )

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**AFFIDAVIT OF STEVE DIETRICH IN RESPONSE TO BASIN ELECTRIC'S  
MOTION FOR SUMMARY JUDGMENT**

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I, Steve Dietrich, being first duly sworn, deposes and says as follows:

1. I am over the age of 21 and am competent to make this affidavit.
2. The facts and matters stated herein are within my personal knowledge, and are true and correct.

3. I am the Administrator of the Wyoming Department of Environmental Quality, Air Quality Division (DEQ/AQD), located at 122 West 25<sup>th</sup> Street, Herschler Building 2E, Cheyenne, WY 82002.

4. In my capacity as Administrator, I am the custodian of DEQ/AQD records.

I certify that the documents described below, with the exception of the bates numbering, that has been added, are true and correct copies of documents generated or received by the DEQ/AQD in the normal course of its regulatory affairs.

5. The DEQ/AQD has maintained these documents as part of its publically accessible permitting file for Permit MD-6047:

Ex.	Document	Bates
1	DEQ/AQD's "Subject to BART Letter" with enc., dated 6/14/06	000551-586
2	Basin Electric's Initial Submittal, dated 2/28/07	000158-162
3	DEQ/AQD's Application Receipt Letter, dated 3/30/07	000157
4	DEQ/AQD's Request for Additional Information, dated 5/3/07	000155-156
5	Basin Electric's BART analysis, dated 9/28/07	000001 - 154
6	EPA's initial comments, dated 5/23/08	000204-207
7	Basin Electric's BART Modeling Refinement submittal, 7/28/08	000208-383
8	DEQ/AQD Charts distributed at 9/8/08 meeting	
9	DEQ/AQD's Completeness Determination, dated 9/22/08	000401-402
10	Basin Electric's Submittal, received 3/2/09	000388-400
11	Basin Electric's BART NOx Emission Limit proposal, 3/16/09	000386-87
12	DEQ/AQD Transmittal Letter, dated 5/27/09	000545-46
13	DEQ/AQD's Application Analysis, dated 5/28/09	000412-464
14	Publisher's Affidavit with Public Notice	000592
15	Public Hearing, 8/6/09	000587-591
16	EPA Comment Letter dated 8/3/09	549-000001 through -09
17	Basin Electric Comments, dated 8/5/09	549-000090 through -91
18	DEQ/AQD's Request for Additional Info., dated 8/27/09	000520-524
19	Basin Electric's Response to Request, received 9/14/09	000518-19
20	Decision Document, dated 12/31/09	000475-497
21	Permit MD-6047, dated 12/31/09	000468-472
22	Basin Electric's Revised Modeling Submittal, received 2/15/08	000165-203
23	Basin Electric's BART Modeling Refinements received 7/28/08	000208-383

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

Steven A Dietrich  
Steve Dietrich, Administrator  
DEQ/AQD

State of Wyoming            )  
  ) ss.  
County of Laramie            )

Subscribed and sworn before me by Steve Dietrich on this 27<sup>th</sup> day of July, 2010.

Witness my hand and official seal.



Kaycee K McMullin  
Notary Public

My commission expires on: April 28, 2012