

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

DEC 30 2013

IN RE THE OBJECTIONS TO ANCHOR)
ENVIRONMENTAL PERMIT APPLICATION)
FILE NUMBER 50.022)
)
)
)

Jim Ruby, Executive Secretary
Environmental Quality Council
DOCKET NO. 13-5802

ORDER

On December 27, 2013 at 3:45 p.m. the Council held a scheduling conference in the above entitled matter. The Presiding Officer was councilman Dr. David Bagley. Petitioners present were Dennis Herrick, Jonathan Phillips, Lisa Whetstone, Jo Ann and Donnie Kenyon and on behalf of the Town of Mills was Kevin O’Hearn, Marrolyce Wilson and Rob Hand. Present on behalf of the Department of Environmental Quality (Respondent) was Senior Assistant Attorney General Mike Barrash and Jeremy Gross. Present on behalf of the Third Party Respondent Anchor Environmental was Jim Skovgard. Staff present for the Council were Jim Ruby, Joe Girardin and John Knepper. The hearing was transcribed by a court reporter.

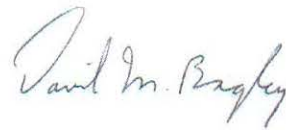
Petitioners not present and hereby dismissed from this matter for failure to appear as ordered are Jim and Diane Siri.

IT IS HEREBY ORDERED

1. The Parties have until January 8th, 2014 to designate their witnesses both lay and expert and expert reports.
2. The Parties shall file Written Interrogatories, Requests for Production of Documents and other discovery by January 17, 2014. Responses to discovery shall be completed no later than January 31, 2014. The deadline for depositions will be February 11, 2014.
3. Hearings on any dispositive motions will be heard on the same day as the date for final hearing prior to the beginning of the final hearing.
4. Exhibits shall be filed by each party and with the Council no later than 12:00 noon on February 20, 2014. Exhibits should be provided to the council in both digital and paper form.
5. The Petitioners shall number their exhibits using their last name and then 1,2,3,4. Dennis Herrick shall file his as Herrick 1,2,3,4 etc. Lisa Whetstone shall number her exhibits Whetstone 1,2,3,4 etc. Jonathan Phillips shall number his exhibits in cooperation with the Town of Mills, and shall be numbered Mills 1,2,3,4 etc. Mr. and Mrs. Kenyon shall number their exhibits Kenyon 1,2,3,4 etc. The DEQ shall number their Exhibits DEQ 1,2,3,4 etc. Anchor Environmental shall number their exhibits Anchor 1,2,3,4 etc.
6. The Petitioners shall file preliminary statements of issues no later than 12:00 noon January 10, 2014.

7. The DEQ may file a bench brief outlining the legal issues and legal support by February 13, 2014. Any responses to the brief shall be filed by the Petitioners and Anchor by February 18, 2014.
8. The Parties estimate that this matter shall take approximately ½ day to present evidence.
9. The final hearing in this matter shall commence at 1:30 p.m. on February 25, 2014. The hearing shall be held at the Union/University Building, 951 North Poplar St. Casper Wy.

DATED this 30th day of December 2013.

A handwritten signature in blue ink that reads "David M. Bagley". The signature is written in a cursive style with a large initial "D".

Dr. David Bagley, Presiding Officer
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Tyffanne Rowan, certify that at Cheyenne, Wyoming, on the 30th day of December, 2013, I served a copy of the foregoing **ORDER** by electronic mail and by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to the following:

Dennis Herrick
5210 Westside Place
Mills, WY 82604
drh66flh@gmail.com

Jonathan Phillips
144 N. 7th
Mills, WY 82604
ejpwy@hotmail.com

and by electronic mail to the following:

Jim Skovgard
Anchor Environmental, Inc.
jim.skovgard@anchor-inc.com

Town of Mills and Lisa Whetstone
c/o Lisa Whetstone, Mills Town Clerk
lwhetstone@millswy.com

Mike Barrash
Asst. Attorney General
mike.barrash@wyo.gov


Jeremy Gross
Attorney General's Office
jeremy.gross@wyo.gov

Alan Edwards
SHWD Administrator
alan.edwards@wyo.gov

Todd Parfitt
Director, DEQ
Todd.Parfitt@wyo.gov

and by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Jo Ann and Donnie Kenyon
4215 S. Skyline Road
Casper, WY 82604


Tyffanne Rowan, Office Assistant
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134