

DEQ EXHIBIT 32

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF OBJECTIONS TO ANCHOR)
ENVIRONMENTAL, INC'S WDEQ/SHWD PERMIT) DOCKET 13-5802
APPLICATION FILE NO. 50.022)

TOWN OF MILLS' RESPONSES TO DEPARTMENT OF ENVIRONMENTAL QUALITY'S
FIRST DISCOVERY REQUESTS TO THE TOWN OF MILLS

COMES NOW the Town of Mills, Wyoming, by and through the undersigned, pursuant to Chapter 2, section 10 and 14 Rules of Practice and Procedure, W.S. 16-3-107(g) and the Wyoming Environmental Quality Council's December 30, 2013 Order, hereby submits the following Town of Mills' Responses to Department of Environmental Quality's First Discovery Requests to the Town of Mills.

INTERROGATORY NO. 1:

Issue #9 of the "Town of Mills' Preliminary Statement of Issues" dated January 10, 2014 is: "Has applicant met all lawful requirements including but not limited to providing sufficient publication of notice along with notices to landowners as required by law to meet the minimum standards for consideration of this new facility?"

Please identify any and all "lawful requirements including but not limited to providing sufficient publication of notice along with notices to landowners as required by law" that the Town alleges or contends have not been met in this case, and specify the complete factual basis for each such allegation or contention.

ANSWER

Chapter 1, section 2(b)(i)(A)(IV) of the DEQ General Provisions Regulations clearly

DEQ Exhibit 32

EQC No. 13-5802

require that the written notices shall contain specific information including the operating life of the proposed facility. The Town of Mills asserts that the legal notice (No. 973848) published by applicant on November 11 and 19, 2013 is clearly deficient insofar as such notice does not contain any statement as required concerning the operating life of the proposed facility.

The Town of Mills further incorporates its answers to all other discovery requests as if fully set forth herein in its answer to Interrogatory #1.

At the time these answers have been prepared, the Town has not had an opportunity to review the discovery which will be provided by Anchor Environmental Aaa Services, Inc. in this matter and reserves the right to supplement its answer to these interrogatories as discovery continues.

INTERROGATORY NO. 2

Please identify any and all individual documents that support the Town's answer to Interrogatory #1 above.

ANSWER:

Attached hereto is a true and correct copy of the Public Notice published by Anchor Environmental Aaa Services, Inc on November 11 and 19, 2013 as Legal No. 973848.

At the time these answers have been prepared, the Town has not had an opportunity to review the discovery which will be provided by Anchor Environmental Aaa Services, Inc. in this matter and reserves the right to supplement its answer to these interrogatories as discovery continues.

INTERROGATORY NO. 3

Issue #10 of the "Town of Mills' Preliminary Statement of Issues" dated January 10, 2014 is: "Does the proposed new facility comply with all other applicable local, state and federal laws

and regulations?”

Please identify any and all “applicable local, state and federal laws and regulations” that the Town alleges or contends have not been complied with in this case, and specify the complete factual basis for each such allegation or contention.

ANSWER:

Mills asserts this proposed facility should be summarily denied as violating W.S. §35-11-502. This proposed new facility cannot be permitted to process these types and quantities of wastes less than one thousand feet from inhabited residences and within one half mile of Mills’ current boundaries and projected growth areas without Mills’ consent or without a variance being granted by the director upon recommendation of the administrator after public hearing and upon written findings as required by W.S. §35-11-502. This facility exceeds one acre and is listed on the application form as encompassing a total of five acres. The facility is clearly designed for the commercial treatment, transfer, storage and disposal of wastes as defined by W.S. §35-11-103. Due to proximity restrictions, no permit for this facility may be issued without the Town’s consent as provided by W.S. §35-11-502. Mills objects to the construction and permitting of this new commercial facility and asserts that Mills is statutorily vested with authority to prohibit construction and operation of the facility without its consent or otherwise require the applicant to seek a variance as provided by law.

In addition to the foregoing, the Town of Mills believes the application filed by Anchor Environmental, Inc is deficient in a number of significant areas. First, the applicant for this permit is a Corporate entity. Chapter 6, section 2(b)(i)(B) of the DEQ Transfer, Treatment And Storage Facility Regulations clearly requires corporate applications be signed by at least two principal officers. The Town’s investigation into this matter leads us to believe the application in

this case does not contain the required signature of a second corporate officer. Failure to provide this information also violates Chapter 6 Section 2 (b) (iii) (A) which require the application to provide: "The name, address and telephone number of the operator of the facility to whom the permit would be issued, and a listing of any administrative order, civil or administrative penalty, assessment, bond forfeiture, misdemeanor or felony convictions, or court proceeding for any violations of any local, state or federal law relating to environmental quality or criminal racketeering in which the applicant (including any partners in a partnership or executive officers in any corporation, if the applicant is a partnership or corporation) has been or is currently involved;".

Second, The Town asserts the application filed in this matter does not provide sufficient Manager Information in paragraph 1.3 as required by Chapter 6 Section 2 (b) (iii) (B) of the DEQ Transfer, Treatment And Storage Facility Regulations. There is no identification of even a general training program to be used by the operator to assure compliance with the regulations and certainly contains no specific listing of any training courses, or the required frequency of attendance of each course by each solid waste manager within the application. The failure to provide this information also violates Chapter 6, Section 5 (a) (I) (B) pertaining to operating standards of transfer, Treatment and storage facilities.

Third, Petitioner's application is clearly deficient, if not misleading in its description of the measures that will be taken at the site to control vectors and potential odors, dust, and noise that could occur as a result of the waste management facility. Petitioner avoided providing the information required by Chapter 6 Section 2 (b) (iii) (J) (XI) by representing in paragraph 2.1.4 of its application that "the facility will be within a building which will contain dust and odors." True, part of the proposed facility will be enclosed within a building but applicant failed to

disclose and address the proposed outdoor operations such as evaporation tanks/ponds whereby waste materials will be processed over time in the open environment. The Town of Mills asserts that Petitioner should be required to formulate extensive odor monitoring and control plans for all operations before any permit is issued.

Fourth, Petitioner's application fails to adequately address any characterization and disposal protocols for the wastewater and process waste accepted and generated by this proposed facility as required by Chapter 6 Section 2 (b) (iii) (J) (XII, XIII, and XIV) The ratio of liquid to solid wastes transported to and processed at this facility is expected to be significant given the nature of the facility. Mills respectfully asserts that under such circumstances Petitioner should be required to demonstrate specific protocols for the processing and disposal of waste water and other process wastes. Applicant should not be permitted to withhold such vital information by simply stating "This section is not applicable due to this facility not generating any waste material." See Permit Application, paragraph 4.12 and 4.13.

Fifth, Mills asserts that because of the nature of this facility including the type of materials processed along with its proximity to habited dwellings, the facility should be required to implement comprehensive air, odor, soil, dust, ground water and surface monitoring protocols before any permit should be issued as required by Chapter 6 Section 2 (b) (iii) (K) Although the application contains some nominal monitoring of operations inside the building, groundwater monitoring of outdoor operations is not proposed until " breakthrough into the secondary liner system occurs". (Permit Application, paragraph 5.1.) How can interested parties know whether breakthrough has occurred without monitoring? Mills asserts given the proximity to habited dwellings along with Mills' boundaries that extensive monitoring should be required before problems arise, not after the damage has been done.

INTERROGATORY NO. 4

Please identify any and all individual documents that support the Town's answer to Interrogatory #3 above.

ANSWER:

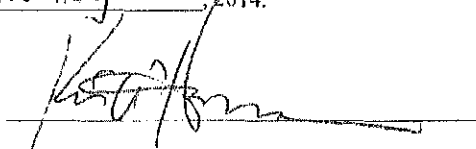
Attached hereto is a true and correct copy of the Application Form submitted by Anchor Environmental Aaa Services, Inc dated October 10, 2013 showing the total acreage of the proposed facility along with the signature of a single officer on behalf of the corporation. Also attached hereto is a true and correct copy of the Solid Waste Permit Application Summary submitted by Anchor Environmental for its proposed Transfer, Storage and Treatment Facility. Also attached hereto is a true and correct copy of the current public data on file with the Wyoming Secretary of State pertaining to Anchor Environmental Aaa Services, Inc.

At the time these answers have been prepared, the Town has not had an opportunity to review the discovery which will be provided by Anchor Environmental Aaa Services, Inc. in this matter and reserves the right to supplement its answer to these interrogatories as discovery continues.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. All individual documents identified in the Town's answer to Interrogatory #2 above.
Documents are attached.
2. All individual documents identified in the Town's answer to Interrogatory #4 above.
Documents are attached.

DATED this 31st day of JANUARY, 2014.



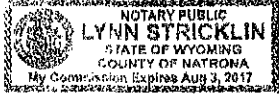
A handwritten signature in black ink, appearing to read "K. Hoffmann", is written over a horizontal line.

Town of Mills, Wyoming by
Kevin O'Hearn, Town Planner

STATE OF WYOMING)
) ss.
COUNTY OF NATRONA)

Subscribed and sworn to before me by Kevin O'Hearn this 31st day of
JANUARY, 2014.

Witness my hand and official seal.



Lynn Stricklin
Notary Public

My Commission Expires: 08-03-2017

Prepared by:

Robert J. Hand, Jr.

Robert J. Hand, Jr.
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WSB # 5-2753

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 31st day of January 2014, a true and correct copy of the above Town of Mills' Responses to Department of Environmental Quality's First Discovery Requests to the Town of Mills was served upon the following by electronic mail and by depositing the same in the United States Mail, postage prepaid, and addressed as follows:

Dennis Herrick	Jonathan Phillips
5210 Westside Place	144 N. 7th
Mills, WY 82604	Mills, WY 82644
drh66flh@gmail.com	ejpwy@hotmail.com

and by electronic mail to the following:

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

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

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

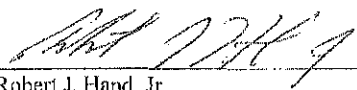
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Todd Parfitt
DEQ Director
Todd.Parfitt@wyo.gov

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

Jo Ann and Dennis Kenyon
4215 Skyline Road
Casper, WY 82604



Robert J. Hand, Jr
Mills Town Attorney