

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF OBJECTIONS TO)
THE PERMIT APPLICATION OF AMAX) Permit No. 428-T2
COAL WEST, INC., EAGLE BUTTE MINE) Docket No. 2573-94

WITHDRAWAL OF ISSUE CONCERNING RELEASE OF GAS

Roger D. Pfeil and Linda J. Pfeil, for themselves and on behalf of their minor children, by and through their undersigned attorneys hereby formally withdraw the following issue set out in their initial prehearing submission from consideration in this matter:

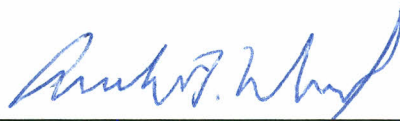
"5. [The proposed revision] Will cause an extensive and damaging release of methane gas on protestants' properties."

All other issues set forth in Pfeils' initial Pre-Hearing Submission are hereby reaffirmed and reasserted.

Dated this 25th day of July, 1994.

DAVIS and CANNON

By:



Anthony T. Wendtland
Attorney for Objectors Roger
D. Pfeil and Linda J. Pfeil
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(307) 672-7491

FILED

JUL 27 1994

Terri A. Lorenzon, Attorney
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Anthony T. Wendtland, attorney for Objectors Roger D. Pfeil and Linda J. Pfeil and their minor children in the above-entitled and numbered cause, do hereby certify that on the 25th day of July, 1994, I caused a true and correct copy of the Pfeils' Withdrawal Of Issue Concerning Release Of Gas to be served by facsimile transmission as indicated and by placing the same in the United States mail, postage prepaid at Sheridan, Wyoming, to:

AMAX Coal West, Inc. VIA FACSIMILE
c/o Marilyn Kite
Holland & Hart
P. O. Box 68
Jackson, Wyoming 83001

State of Wyoming VIA FACSIMILE
Department of Environmental Quality
c/o Thomas A. Roan
Attorney General's Office
123 Capitol Building
Cheyenne, Wyoming 82002

Terri A. Lorenzon VIA FACSIMILE
Environmental Quality Council
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