

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

SEP 19 1990

Terri A. Lorenzon, Adm. Aide
Environmental Quality Council

IN THE MATTER OF A MINING)
PERMIT APPLICATION BY)
GILPATRICK CONSTRUCTION) Docket No. 2153-90
COMPANY, INC., TFN NUMBER)
2 6/136)

ORDER DIRECTING MINING PERMIT TO BE ISSUED
TO GILPATRICK CONSTRUCTION COMPANY, INC.,
AND DISMISSING PROTEST OF THELMA IVY

Gilpatrick Construction Company, Inc., having applied for small mining permit in accordance with Wyoming Statute 35-11-401(h) and the applicable Land Quality Regulations of Wyoming, which application was protested by Wilma S. Davis and Walter R. Davis, and by Thelma Ivy, residents of the City of Riverton;

The Wyoming Environmental Quality Council having heard the Davis' complaint against issuance of the permit in a contested case hearing at the Riverton Valley Electric Association Meeting Room on May 25, 1990, Mr. David B. Park serving as the hearing examiner; but without appearance of protestant Thelma Ivy, who received notice of the hearing;

And the Council having considered the hearing record during its meeting of August 6, 1990, with the determination that the permit should be issued without additional conditions on Gilpatrick's already existing sand and gravel mining operation located on the southern edge of Riverton, because the hearing did not reveal evidence to support denial of the permit or restriction of the mining activity beyond the requirements of the Wyoming Environmental Quality Act and the applicable regulations promulgated thereunder;

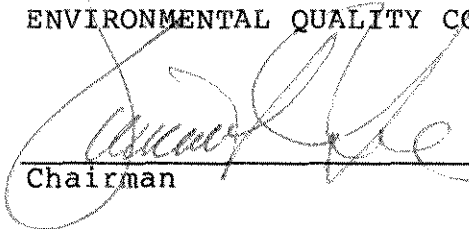
THEREFORE IT IS HEREBY ORDERED:

That the Wyoming Department of Environmental Quality is directed to issue Small Mining Permit TFN Number 2 6/135 to Gilpatrick Construction Company, Inc.; and

That the protest of Thelma Ivy is dismissed for lack of appearance at the hearing.

DATED this 5 day of September, 1990.

FOR THE WYOMING
ENVIRONMENTAL QUALITY COUNCIL


Chairman