

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING
Docket No. _____

FILED

MAR 21 1983

Terri A. Lorenz, Clerk
Environmental Quality Council

IN THE MATTER OF A NOTICE OF)
VIOLATION AND CEASE AND DESIST)
ORDER ISSUED TO GREAT WESTERN)
SUGAR COMPANY, DOCKET)
NUMBER 1091-82.)

STIPULATION

Petitioner, Great Western Sugar Company, and the Wyoming Department of Environmental Quality, Land Quality Division, hereby agree and stipulate as follows:

I. FACTUAL RECITALS

1. At all times relevant hereto and continuing, the Great Western Sugar Company is the operator under permit number 305 of the L-F limestone quarry located within Section 36, T13N, R70W, Laramie County, Wyoming.

2. On June 10, 1982, the Department of Environmental Quality, Land Quality Division, served upon the Great Western Sugar Company a notice of violation and cease and desist order for certain described violations of the Environmental Quality Act and the rules and regulations promulgated thereunder. Said notice of violation and cease and desist order docket # 1091-82 is a matter of public record in this matter and incorporated herein by this reference.

3. On June 22, 1982, a request for a hearing on the notice of violation and cease and desist order was made by Mr. Donald E. Lincoln, General Counsel for the Great Western Sugar Company.

4. A hearing on this matter has been set before the Environmental Quality Council commencing on the date of December 8, 1982, at Casper, Wyoming, before Mr. Lee E. Keith, a member of the Council.

5. Both the Great Western Sugar Company and the Department of Environmental Quality, Land Quality Division, wish to resolve this matter without the necessity of a hearing.

II. STIPULATION OF GREAT WESTERN SUGAR COMPANY
AND THE DEPARTMENT OF ENVIRONMENTAL
QUALITY, LAND QUALITY DIVISION

6. The Department of Environmental Quality, Land Quality Division, and Great Western Sugar Company agree that, except as outlined below, all violations alleged in NOV/CD 1091-82 have been corrected as proposed by the Land Quality Division in correspondence dated August 3, 1982 and October 18, 1982 and Great Western correspondence dated October 8, 1982. (Said correspondence is attached hereto as Exhibits A, B and C and incorporated by this reference.)

7. The remaining items that need to be addressed are outlined in Exhibit D attached hereto. Great Western Sugar agrees to complete the work outlined in Exhibit D no later than April 15, 1983.

8. The aforementioned correspondence involves an additional matter concerning the use of topsoil in the construction of a weigh scale ramp. The Land Quality Division and Great Western Sugar agree said matter has been corrected.

9. Except for those exceptions noted herein, Great Western Sugar Company has corrected the alleged violations outlined in the aforementioned correspondence, and NOV/CD 1091-82, the Land Quality Division agrees that it will lift the cease and desist order and pursue no further legal or administrative

remedy. Said agreement, however, is contingent upon Great Western Sugar completing those matters outlined in Exhibit D.

10. Great Western Sugar Company does hereby withdraw its request for hearing in this matter, docket number 1091-82.


WHEREFORE, the Great Western Sugar Company and the Department of Environmental Quality, Land Quality Division, hereby agree that the performance of the conditions stipulated above shall constitute a mutually satisfactory resolution of this matter, docket number 1091-82, and requests that the Environmental Quality Council enter an order approving and adopting the provisions of this Stipulation and dismissing the petition for hearing filed herein.

DATED this 17th day of ~~November~~, ^{March} 1983, 1982.

GREAT WESTERN SUGAR
COMPANY

By 
John A. Sundahl
Attorney for Great Western

DEPARTMENT OF ENVIRONMENTAL
QUALITY, LAND QUALITY DIVISION

By 
Weldon S. Caldbeck
Assistant Attorney General