

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

FILED

APR 19 2006

In The Matter of a Request)
For Temporary Stay of)
N.O.V. No. 100368.)
Black Butte Coal Co.)
Sweetwater County, WY)
Docket No. 3839-06)

EQC Doc. No. 06-4201

Terri A. Lorenzon, Director
Environmental Quality Council

MOTION TO DISMISS

COMES NOW Black Butte Coal Company, by and through its undersigned counsel, and respectfully moves to dismiss its Request for Review filed in this matter, for the reason that it has resolved this matter with the DEQ/LQD.

Respectfully submitted this 19th day of April, 2006.

Black Butte Coal Company

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CERTIFICATE OF SERVICE

I do hereby certify that on this 19th day of April, 2006, I served a true and correct copy of the foregoing Motion to Dismiss upon the following individuals by hand delivery, addressed as follows:

John Burbridge
Assistant Attorney General
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Richard Chancellor, Administrator
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