

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL

IN RE EAGLE BUTTE MINE,
ALPHA WEST TFN 6-1/152

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Docket # 15-4801

**WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY'S
RESPONSE IN SUPPORT OF POWDER RIVER BASIN RESOURCE COUNCIL
NOTICE OF VOLUNTARY DISMISSAL**

The Wyoming Department of Environmental Quality ("Department"), through its undersigned counsel, hereby responds to the notice of voluntary dismissal filed by the Powder River Basin Resource Council ("PRBRC") in this matter. The Department reserves and does not waive its defenses and arguments against the PRBRC's claims regarding the renewal of the Eagle Butte Mine's permit. However, the Department agrees that this matter is now moot and should be dismissed. Therefore, the Department also asks the Wyoming Environmental Quality Council to lift the stay in this proceeding in order to dismiss the case as moot.

DATED this 23rd day of May, 2017.

Respectfully submitted,

/s/ Andrew J. Kuhlmann

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