BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING
EQC DOCKET NO. 05-3411

FILED

SEP 2 1 2005

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE NOTICE OF   )
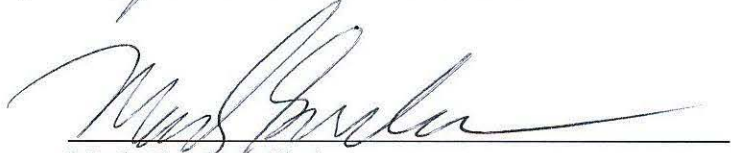VIOLATION AND ORDER ISSUED TO:)
John Scheetz   )   ORDER APPROVING
Bentonite Performance Minerals   )   ORDER
HCR 69, Box 112   )
Belle Fourche, SD 57717   )
DEQ DOCKET NO. 3636-05   )

The Department of Environmental Quality, Water Quality Division, issued a Notice of

Violation and Order, Docket No. 3636-05, to Bentonite Performance Minerals on November 24,

2005. Bentonite Performance Minerals did not appeal the Notice of Violation and Administrative

Order and the time has expired for the filing of an appeal before this body. Bentonite Performance

Minerals, complied with the Order and a Notice of Compliance was filed by the Department of

Environmental Quality on June 9, 2005. This matter having been considered by the Environmental

Quality Council pursuant to the provisions of W.S. 35-11-112(a)(ii), and the Council being fully

advised in the premises;

IT IS HEREBY ORDERED THAT the Order of the Department of Environmental Quality

entered herein be and the same hereby is approved.

DATED this 14th day of September, 2005.

Mark Gordon, Chairman
Environmental Quality Council
Room 1714, Herschler Building, 1st Floor West
122 W. 25th Street
Cheyenne, WY 82002

CERTIFICATE OF SERVICE

I, Kim McGee, certify that at Cheyenne, Wyoming, on the 21st day of September 2005, I served a copy of the foregoing ORDER APPROVING ORDER by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to

John Scheetz
Bentonite Performance Minerals
HCR 69, Box 112
Belle Fourche, SD   57717

also to the following persons via interoffice mail:

John Corra, Director
Department of Environmental Quality
Herschler Building, 4th West
Cheyenne, WY 82002

John Wagner, Administrator
Water Quality Division
Department of Environmental Quality
Herschler Building, 4th West
Cheyenne, WY 82002

Mike Barrash
Senior Assistant Attorney General
Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002

Kim McGee, Executive Assistant
Environmental Quality Council