

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING**

IN RE OBJECTION TO BURNETT PIT )  
APPLICATION TFN 62/292 ) DOCKET 18-4801

**ORDER**

On August 21 the Permit applicant, Knife River, notified the Department of Environmental Quality that they would request the application be pulled back from its status for amendment of the application. The return of the application for amendment will necessitate the republication of the application upon completion of the amendment and further review of the application by the Department. The action of the applicant makes the current objection moot until the applicant is directed by the Department to publish the amended application for public comment. At that time, the Petitioners in this matter may renew any objections they may still have regarding the application.

THEREFORE, the above matter is DISMISSED at this time without prejudice to the Petitioners. Upon republication, the Petitioners may request a contested case hearing regarding the amended application if they still have objections.

Due to the dismissal of this matter, the scheduling conference scheduled for August 22, 2018 at 10:30 a.m. is no longer necessary and is cancelled.

So ordered this 22<sup>nd</sup> day of August 2018.

**FILED**

**AUG 22 2018**

**Jim Ruby, Executive Secretary  
Environmental Quality Council**

  
Steven Lenz, Hearing Examiner  
Environmental Quality Council 

**CERTIFICATE OF SERVICE**

I, James Ruby, certify that at Cheyenne, Wyoming, on the 22<sup>nd</sup> day of August 2018, I served a copy of the foregoing **Order of Dismissal by** electronic mail to the following:

James Kaste  
Attorney for DEQ  
[James.kaste@wyo.gov](mailto:James.kaste@wyo.gov)

Joe Smith  
Knife River Corporation Representative  
[Joe.smith@kniferiver.com](mailto:Joe.smith@kniferiver.com)

Boyd Wiggam  
Attorney for Petitioners  
[dawnbarela@wiggamlaw.net](mailto:dawnbarela@wiggamlaw.net)



Jim Ruby  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
Phone: 307-777-7170