

Matt VanWormer, WSB #7-5804
Senior Assistant Attorney General
Wyoming Attorney General's Office
2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-6199
matt.vanwormer@wyo.gov

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

In re Brook Mining Co., LLC coal mine)
permit – PT0841) **Docket No. 20-4802**

**DEPARTMENT OF ENVIRONMENTAL QUALITY'S
MOTION FOR SUMMARY JUDGMENT**

Respondent, Wyoming Department of Environmental Quality, hereby moves the Council to grant summary judgment in favor of the Department under Chapter 2, section 17 of the Council's Rules of Practice and Procedure and Rule 56 of the Wyoming Rules of Civil Procedure.

The facts surrounding Brook Mining Company, LLC's coal mine permit application are uncontested. As a matter of law, the Council should affirm the Department's determination that Brook's application is accurate, complete, and complies with all applicable laws.

The Department supports its motion for summary judgment with a separate memorandum, a statement of material facts, affidavits, and exhibits.

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Dated this 28th day of October, 2020.



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*Attorney for the Wyoming
Department of Environmental Quality*

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing *Motion* upon the persons listed below, this 28th day of October, 2020, addressed as follows:

Wyoming EQC (Original) – By Inter-Agency Mail

Attn: Joe Girardin
2300 Capitol Ave.
Hathaway Bldg. 1st, Room 136
Cheyenne, Wyoming 82002

Shannon Anderson – By E-mail

Powder River Basin Resource Council
934 N. Main St.
Sheridan, WY 82801
sanderson@powderriverbasin.org

Patrick J. Crank – By E-mail

Abbigail C. Forwood
Jim D. Seward
CRANK LEGAL GROUP, P.C.
1815 Evans Ave.
Cheyenne, WY 82001
pat@cranklegalgroup.com
abbi@cranklegalgroup.com
jim@cranklegalgroup.com


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