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

**IN THE MATTER OF THE BOND FORFEITURE)
QUALITY LANDSCAPE AND NURSERY, INC.) Docket No. 22-4503
LMO ET1496)**

**ORDER GRANTING STIPULATED MOTION TO WAIVE
CERTAIN REQUIREMENTS UNDER WYOMING STATUTE § 35-11-421(c), AND
RULES AND REGULATIONS, DEPARTMENT OF ENVIRONMENTAL QUALITY,
CHAPTER 2, SECTION 4(a)(i)**

THIS MATTER having come before this Council on the stipulated motion of the State of Wyoming, Department of Environmental Quality (“WDEQ”), by and through its counsel David DeWald, Senior Assistant Attorney General, State of Wyoming, Office of the Attorney General, and Quality Landscape & Nursery, Inc. (“QLN”), by and through its counsel James R. Salisbury, of The Salisbury Firm, P.C., (collectively “Parties”), to stipulate to the waiver of certain requirements of Wyoming Statute § 35-11-421(c), and Rules and Regulations, Department of Environmental Quality, Chapter 2, Section 4(a)(i); and the Council having reviewed the stipulated motion and pleadings on file herein, finds that just cause exists to grant the relief sought in the stipulated motion, and orders as follows:

IT IS HEREBY ORDERED that the Parties’ Stipulated Motion to Waive Certain Requirements under Wyoming Statute § 35-11-421(c), and Rules and Regulations, Department of Environmental Quality, Chapter 2, Section 4(a)(i), shall be and hereby is GRANTED.

IT IS FURTHER ORDERED that the provisions of Wyoming Statute § 35-11-421(c), requiring the Council to hold a hearing within thirty (30) days after the receipt of the demand by the operator for a hearing, shall be and hereby is WAIVED.

IT IS FURTHER ORDERED that the certain provision of the Rules and Regulations, Department of Environmental Quality, Chapter 2, Section 4(a)(i), requiring that persons initiating a contested case shall serve the petition by registered mail, return receipt requested, shall be and hereby is WAIVED.

IT IS FURTHER ORDERED that QLN shall be and hereby is permitted to serve its petition for a contested case hearing by any provable means of service, including but not limited to Federal Express.

SO ORDERED: April _____, 2023.

ENVIRONMENTAL QUALITY COUNCIL
By:

Steve Lenz, Hearing Officer