

FILED

JAN 16 2014

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

**DEPARTMENT
OF**

Jim Ruby, Executive Secretary
Environmental Quality Council

JAN 13 2014

IN THE MATTER OF OBJECTIONS TO ANCHOR)	
ENVIRONMENTAL, INC'S WDEQ/SHWD PERMIT)	DOCKET 13-5802
APPLICATION FILE NO. 50.022)	

**ENVIRONMENTAL
QUALITY**

TOWN OF MILLS' PRELIMINARY STATEMENT OF ISSUES

1. Is the proposed facility intended for the transfer, treatment, processing, storage or disposal of solid waste as defined by W.S. §35-11-103?
2. Is the proposed facility exempt from the location requirements of W.S. §35-11-502 which require a variance granted by the director upon recommendation of the administrator after public hearing and upon written findings that the variance will not injure or threaten to injure the public health, safety or welfare of:
 - (I) Residents of an incorporated Town, the boundaries of which are less than one mile from the proposed facility?
3. To what extent have Applicant and Wyoming Environmental Quality Council considered whether this new facility is cost effective as defined by Chapter 1 General Provisions, Section 1 (e) (I) in determining the "minimum standards" have been met for the issuance of this permit; taking into consideration of the total short-term and long-term costs, including the costs of operation and maintenance for the entire activity, the presence of naturally occurring hazardous or toxic substances and current or potential uses of the natural resources impacted?
4. To what extent should the interests of the Town of Mills be considered in objecting to the introduction of a new petroleum contaminated, solid/liquid waste disposal site being established less than one-half mile outside the Town's projected growth boundaries?
5. On January 8, 2014, Applicant represented to the Mills Town Council that there is presently no specific permit authorized by DEQ for the proposed facility. Given the absence of any precedence for this type of waste management facility along with no clearly defined permit requirements, should the application be stayed pending further investigation, public hearing and adoption of specific regulations to protect the health, safety and well being of the residents of the Town of Mills and surrounding communities?
6. Applicant represented in a notice published in a newspaper of general circulation that it will be accepting used recycling and drilling fluids from seven states, including Wyoming, Colorado, Montana, Idaho, Nebraska, North Dakota and South Dakota. Has

Applicant demonstrated sufficient profile screening protocols to protect the public health, safety and well being from potential toxic and incompatible wastes being accepted by this new facility?

7. On January 8, 2014, Applicant represented to the Mills Town Council that it has not yet determined the minimum qualifications for the on site operational manager who will be processing and mixing various solid and liquid wastes into common mechanical separation and storage devices and containers. Should this Application be denied until such minimum qualifications are established to the satisfaction of Mills or at least the DEQ?
8. Did applicant comply with all lawful the requirements, including public notice prior to the re-zoning of the subject property to "light industrial use"?
9. Has applicant met all lawful requirements including but not limited to providing sufficient publication of notice along with notices to landowners as required by law to meet the minimum standards for consideration of this new facility?
10. Does the proposed new facility comply with all other applicable local, state and federal laws and regulations?
11. The Town of Mills reserves the right to amend and supplement this list with additional issues as may arise through the discovery of additional evidence.

Dated this 10th day of January 2014

Town of Mills, Wyoming



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10th day of January 2014, a true and correct copy of the above Town of Mills Designation of Witnesses was served upon the following by electronic

mail and by depositing the same in the United States Mail, postage prepaid, and addressed as follows:

Dennis Herrick
5210 Westside Place
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Jonathan Phillips
144 N. 7th
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and by electronic mail to the following:

Jim Skovgard
Anchor Environmental
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Town of Mills and Lisa Whetstone
c/o Lisa Whetstone
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Mike Barrash
Asst. Attorney General
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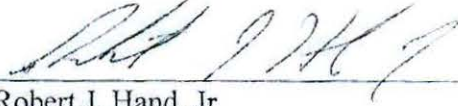
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and by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Jo Ann and Dennis Kenyon
4215 Skyline Road
Casper, WY 82604



Robert J. Hand, Jr
Mills Town Attorney