

FILED

MAY 05 1992

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

Terri A. Lorenzon, Adm. Aide
Environmental Quality Council

IN THE MATTER OF A NOTICE OF)
VIOLATION ISSUED TO ARCH OF)
WYOMING, INC., PERMIT NO. 331-T2,) DOCKET NO. 2309-91
NOV #100467)

CONSENT ORDER

THIS MATTER came before the Environmental Quality Council as on Appeal filed by Arch of Wyoming and was set for a hearing on March 25, 1992. The hearing was convened in the Public Service Commission Building at 700 West 21st Street in Cheyenne, Wyoming. Harold Bergman, a member of the Environmental Quality Council, presided as hearing examiner. Pete Maxfield, a Council member, and Terri Lorenzon, Administrative Aide for the Council, were also present.

Appearing on behalf of the Petitioners were Steve Skordas, Kent Desrocher and David Freudenthal, attorney for the Petitioners. Appearing on behalf of the Department of Environmental Quality, Land Quality Division, were Roger Shaffer, Rick Chancellor and Thomas A. Roan, Assistant Attorney General.

At the hearing, the parties presented to the Council a Settlement Stipulation which they represented to resolve all issues identified in the Petition. The hearing examiner accepted the Settlement Stipulation as resolution of this matter, but deferred entry of an Order pending discussion and action by a quorum of the Council in a duly noticed, public meeting.

The matter having been further considered by the Council on April 23, 1992, in open meeting, pursuant to a Settlement Stipulation entered by the parties and a joint motion for entry of a Consent Order, and for good cause appearing,

IT IS ORDERED THAT:

1. The Joint Motion for Entry of Consent Order is

granted.


2. The Settlement Stipulation is hereby approved.

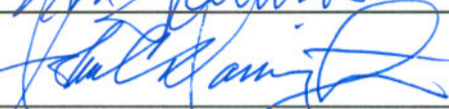
3. The Settlement Stipulation which is incorporated herein by this reference shall be fully enforceable pursuant to its terms as an Order of the Council.


4. This Order is the complete and final resolution of the appeal filed by Arch of Wyoming in this matter.


DATED this 4th day of May, 1992.

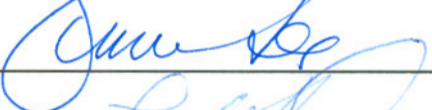
FOR THE
ENVIRONMENTAL QUALITY COUNCIL

















CERTIFICATE OF SERVICE

I, Terri A. Lorenzon, certify that at Cheyenne, Wyoming, on the 5th day of May, 1992, I served a copy of the foregoing Order by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

David D. Freudenthal
P. O. Box 387
Cheyenne, WY 82003-0387

and also to the following persons via interoffice mail:

Dennis Hemmer, Director
Department of Environmental Quality
122 W. 25th Street, Herschler Building
Cheyenne, WY 82002

Roger Shaffer, Administrator
Department of Environmental Quality
Land Quality Division
122 W. 25th Street, Herschler Building
Cheyenne, WY 82002

Thomas A. Roan
Assistant Attorney General
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