



BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

FILED

MAY 06 1992

Terri A. Lorenzon, Adm. Aide Environmental Quality Council

IN THE MATTER OF A MINING PERMIT) APPLICATION OF RISSLER & MCMURRY) DOCKET NO. 2373-92 COMPANY, TFN 2 6/247

ORDER REMANDING CASE FOR LIMITED PURPOSE

The Environmental Quality Council (the Council) moved to remand this case to the Department of Environmental Quality (DEQ), for the purpose of having the DEQ evaluate the impact of the designation of Bessemer Mountain as rare and uncommon and as having particular scenic, surface geological, archaeological, historical, wildlife, or botanical value on the proposed permit, TFN 2 6/247. See §35-11-112, W.S. 1977, As Amended. As the designation of Bessemer Mountain was done subsequent to the DEQ's review of the small mine permit application and designation of an area to be mined is included in the criteria the Director of DEQ must consider in issuing a permit, the Council opened the hearing in this case on May 4, 1992, at the City Council Chambers, 200 N. David, in Casper, Wyoming at 10:00 a.m to hear arguments on the motion to remand. §35-11-406 Having carefully considered the arguments and being fully advised, the Council finds that the motion should be granted.

IT IS ORDERED that the above entitled matter is remanded to the Department of Environmental Quality for the purpose of evaluating Rissler & McMurry's small mine permit application, TFN 2 6/247, in light of the designation of Bessemer Mountain pursuant to §35-11-112. Upon completion of the review the DEQ shall provide for additional public participation as it deems appropriate. The time for appealing the DEQ decision on the permit application shall be determined by the public notice that is required by the DEQ at the conclusion of the review conducted pursuant to this order.

Dated this 4th day of May, 1992.

[Signature of Peter C. Maxfield]
Peter C. Maxfield, Presiding Officer

[Signature of Fred H. Carr]
Fred H. Carr, Council Member

[Signature of Harold L. Bergman]
Dr. Harold L. Bergman, Council Member

[Signature of John C. Schiffer]
John C. Schiffer, Council Member

CERTIFICATE OF SERVICE

I, Terri A. Lorenzon, certify that at Cheyenne, Wyoming, on the 6th 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:

Donald J. Rissler
Brown, Raymond & Rissler, P.C.
246 S. Center, Suite 101
Casper, WY 82601

Rissler & McMurry
P. O. Box 2499
Casper, WY 82602

Cathy Killean
5138 Alcova Route, Box 3
Casper, WY 82604

Sharon Henricks
P. O. Box 4244
Casper, WY 82604

Patricia A. Forsling
5120 Alcova Route, Box 7
Casper, WY 82604

Merrill Weikum
6135 Raderville Route
Casper, WY 82604

Carla Brown
Casper Mountain Route, Box 9
Casper, WY 82601

Robert Adams Diemer
4655 Cass Street, Suite 307
San Diego, CA 92109

Ms. India Hayford
2626 Bonnie Brae
Casper, WY 82601

John E. & Kay A. Kunckel
3841 Plateau Pl.
Casper, WY 82604

Connie M. Jones
152 University Ct.
Casper, WY 82609

Bruce & Joyce Snedden
Casper Mountain Route, Box 4
Casper, WY 82601

Betty J. Pilcher
P. O. Box 1939
Casper, WY 82602

Dick Fannelli
Alcova Route
10590 W. Goose Egg Road
Casper, WY 82604

Jim and Judi Haines
5120 Alcova Route, Box 50
Casper, WY 82604

Mrs. Howard Cox
4460 S. Poplar
Casper, WY 82601

Constance R. Henry
Dana L. Fankhauser
Black Majesty Friesians
P. O. Box 2421
Casper, WY 82602

Joe and Emily Singer
120 North 6th Avenue
Casper, WY 82604

Jeffrey C. Gosman
139 West 2nd, Suite 1A
Casper, WY 82601

Richard Lincoln
Box 1662
Mills, WY 82644

J. K. & Leona Garman
Alcova Route, 10477 Goose Egg Road
Casper, WY 82604

Robert Speas & Joan Adams Diemer
1119 Essex Lane
Newport Beach, CA 92660

Robert W. & Judy Springer
2001 Kingsboro Road
Casper, WY 82604

Opal L. McInroy
5120 Alcova Route, Box 40
Casper, WY 82604

Alice Bradley
245 S. Lowell
Casper, WY 82601

Philip D. Gordy, M.D.
253 South Lenox Street
Casper, WY 82601

John, Renee and Peter Naquin
6128 Raderville Rt.
Casper, WY 82604

Mrs. Bruce Penton
2302 E. 6th
Casper, WY 82609

Gary E. and Peggy Sue Propp
4460 Sunrise Drive
Casper, WY 82604

Catherine Holton
5120 Alcova Route, Box 48
Casper, WY 82604

L. Fenstad
15277 Morning Dove Road
Casper, WY 82604

Louise Wright
211 N. Sun Drive
Casper, WY 82601

Elaine McCartney
229 E. Lathrop Rd., #10
Evansville, WY 82636

Diane and Mary Werner
Alcova Route
10467 W. Goose Egg Road
Casper, WY 82604

Lynn Sedar Farnes
P. O. Box 40033
Casper, WY 82604

John D. Diemer
150 South Rodeo Drive, 3rd Floor
Beverly Hills, CA 90212

Connie Carpenter
319 Riverview
Mills, WY 82644

Elaine Hood
3521 Robertson Road
Casper, WY 82601

Sharon O'Neill
2951 Mockingbird Tr.
Casper, WY 82604

Virginia Moore
11 Goldenrod
Casper, WY 82601

Peggy Sue Darling
1580 S. Beverly, #6
Casper, WY 82601

David John Ornich
1580 S. Beverly, #6
Casper, WY 82601

Dan Galloway
3301 Navarre Road
Casper, WY 82604

Kay Pierce
140 W. 13th
Casper, WY 82601

Marlene F. Vajtho
P. O. Box 1246
Casper, WY 82602

Olga Freeman
1250 No. Center
Casper, WY 82601

Teresa Attaway
3961 E. 20th
Casper, WY 82609

Evelyn Sullivan
3045 Whitcomb Way
Casper, WY 82609

Ann Galles
1041 So. Center
Casper, WY 82601

Virginia Bowen
2021 Sagewood
Casper, WY 82601

Ilene Gallinger
1451 Shumway
Casper, WY 82601

Dolores Dickinson
1451 Country Club
Casper, WY 82601

Jackie Nagee
3558 Meadowbar
Casper, WY 82601

Donna Brewer
619 S. Washington
Casper, WY 82601

Mildred Enderson
1841 Jim Bridger
Casper, WY 82601

Elaine Hooper
336 Oleander
Casper, WY 82601

Martha Wallace
6350 Westland Rd., Alcova Rt.
Casper, WY 82601

Julie Sander
269 Columbine
Casper, WY 82604

Tawnya See
P. O. Box 213
Mills, WY 82644

Edith McFall
53 Jasmine
Casper, WY 82601

Virginia McFall
1808 Custer Avenue
Casper, WY 82601

Nathel Casteel
1415 So. Sycamore
Casper, WY 82601

Joyce DePaolo
1235 E. 15th
Casper, WY 82601

Beverly C. Brewer
3678 Ridgecrest Drive
Casper, WY 82604

John Rosenberger
Box 3567
Casper, WY 82602

Susan Piloni
P. O. Box 4984
Casper, WY 82604

John Winston & Family
6640 Sharrock Road
Casper, WY 82604

Charles Lugg
703 Lind Avenue
Casper, WY 82601

William Grant
6713 Sharrock Road
Casper, WY 82604

Rod & Laura Stalkup
5120 Alcova Rt., Box 4
Casper, WY 82604

Herschel H. Leist
5170 Alcova Rt., Box 4
Casper, WY 82604

Carol Boe
277 N. 7th Avenue
Casper, WY 82601

Laura Hililar
4440 S. Poplar
Casper, WY 82601

LaVere J. Cone
Box 632
Casper, WY 82601

Verla Terpening
3400 E. 19th
Casper, WY 82601

Helen McAdam
542 Coolidge
Casper, WY 82604

Resident
880 5th
Evansville, WY 82636

Patricia Vogel
418 Trigood Drive
Casper, WY 82609

Voncille Clark
440 S. Huber
Casper, WY 82609

Jean Sides
2177 Johnston Road
Casper, WY 82601

Lorraine Thompson
3540 Valley Road
Casper, WY 82604

Brenda Trippel
P. O. Box 141
Circle, MT 59215

June Buh
3651 Crystie Lane
Casper, WY 82601

Mary Olds
2101 W. 41st
Casper, WY 82601

R. E. McLaughlin
P. O. Box 339
Mills, WY 82644

Jim Wilson
153 N. Grant
Casper, WY 82601

Betty Burkhart
1604 East 17th Street
Casper, WY 82601

Carl & Norma Brown
2433 Garden Creek Road
Casper, WY 82601

Carol Crump
731 Kirk Avenue
Casper, WY 82601

Waco Hill
737 Kirk
Casper, WY 82601

John Ellis, Jr.
P. O. Box 654
Mills, WY 82644

Heidi Doden
Box 90125
Casper, WY 82609

Ken L. Ball
1040 W. 25th Street
Casper, WY 82604

Jeff & Anita Hill
5120 Alcova Rt., Box 43
Casper, WY 82604

Bob Williamson
281 Scott Avenue
Winnetka, IL 60093

Carol Barnes
P. O. Box 1891
Casper, WY 82602

Mr. & Mrs. C. R. Lowers
2108 S. Jefferson Street
Casper, WY 82601

Michael Snodgrass
5220 Alcova Rt., Box 21
Casper, WY 82604

Fred & Hazel Harnett
7290 Bessemer Bend Rd. So.
P. O. Box 2433
Casper, WY 82602

Kathy Orr
2095 East 8th Street
Casper, WY 82609

Helen Diemer Williamson
623 West Ninth Street
Claremont, CA 91711

Beth H. Tayson
P. O. Box 1891
Casper, WY 82602

Doug Pope
12905 Dusty Lane
Mills, WY 82644

Mr. & Mrs. Bill K. Mudge
2936 Navarre Road
Casper, WY 82604

Ben Brown
10310 Casper Mountain Rd.
Casper, WY 82601

Jim Bradley
427 Sioux
Cheyenne, WY 82009

Mr. & Mrs. Cliff Barnes
P. O. Box 1891
Casper, WY 82602

Robert Broadway
2007 Inverness Blvd.
Rawlins, WY 82301

Keith Johnson
P. O. Box 1758
Casper, WY 82602

Maureen M. Buckley
2986 Herrington
Casper, WY 82604

Stanley H. McInroy
5120 Alcova Rt., Box 40
Casper, WY 82604

Betty Sauer
4682 Smokerise Road
Alcova Rt
Casper, WY 82604

Vanetta Weatherford
Box 1143
Evansville, WY 82636

Fern Schiermeyer
1227 W. 22nd Avenue
Casper, WY 82604-3543

R. L. Wilson
P. O. Box 988
Glenrock, WY 82637

John & Claudia Olafson
P. O. Box 9415
Casper, WY 82609

George & Dorothy Ayers
1204 N. Durbin Street
Casper, WY 82601

Margart Evans
Box 1205
Mills, WY 82644

M. Bartel
Box 851
Mills, WY 82644

Mark Galloway
3210 Navarre Rd.
Casper, WY 82604

Royce Harbilt
412 S. Grant
Casper, WY 82601

Sue Loucks
37 Gardenice
Casper, WY 82604

John Swanson
503 S. Park
Casper, WY 82601

Michael Reed
P. O. Drawer 2360
Casper, WY 82602

Patsy Horton
506 East Centennial
Rapid City, SD 57701

Terry Myers
510 N. Kenwood Street
Casper, WY 82601

Dana Haas
Rt. 1, Box 225
Veteran, WY 82243-9710

Wayne Grant
517 N. 1st Avenue
Casper, WY 82604

Kim Greinin
RR 1, Box 135a
Minden, IA 51553

Brittany Horn & Verda James
1150 Stafford
Casper, WY 82609

Mr. & Mrs. Kent Macklin & Family
2601 West 39th
Casper, WY 82601

James D. Miller
765 West 20th
Casper, WY 82601

Mr. & Mrs. Fred Millett
5063 Alcova Rt., Box 15
Casper, WY 82604

Gloria Butler
628 E. 11th Street
Casper, WY 82601

Edna Modrcrin
2006 S. Jackson Street
Casper, WY 82601-4839

Virginia Moriarty
200 E. 9th
Casper, WY 82601

Marian T. Doody
2900 Navarre Rd.
Casper, WY 82604

Wanda Evans
517 N. 1st Avenue
Casper, WY 82604

Mr. & Mrs. Tim Frary
711 W. 53rd
Casper, WY 82601

Steve Gnagy
5120 Alcova Rt., Box 10
Casper, WY 82604

Mary Jane Strand
5816 Bates Creek Cr.
Casper, WY 82604

Jackie Lynn Tighe
1430 Trojan Drive 3
Casper, WY 82609

Mr. & Mrs. L. C. Young
4430 S. Center
Casper, WY 82601

E. C. Campbell
Box 250
Midwest, WY 82643

Lisa Eades
5138 Alcova Rt., Box 7
Casper, WY 82601

Kathy Haden
3203 Monte Vista
Casper, WY 82604

Karen James
1765 Kearney
Casper, WY 82604

Jim Bonnel
RR #1, Box 260
Riverton, WY 82501

Mr. & Mrs. Donald Campbell
1945 Bellaire Drive
Casper, WY 82604

Kathy Movaj
419 E. 21st Avenue
Torrington, WY 82240

Evelyn Path
138 S. Minnesota
Casper, WY 82609

Henry C. Phibbs, II
P. O. Box 1082
Jackson, WY 83001

James Speas
3155 Cy Avenue
Casper, WY 82604

Frank, Pamela & Kara Hamar
5120 Alcova Rt., Box 6
Casper, WY 82604

Jeffrey Hamar
3543 Partridge Lane
Casper, WY 82604

Marla S. Wold
1311 Beaumont
Casper, WY 82601

Susan K. Flack
915 11th
Rawlins, WY 82301

C. P. Abrassart
6824 W. Riverside Drive
Casper, WY 82604

Herbert Fox
720 West 50th
Casper, WY 82601

Tommy Cowan
6761 W. Riverside Drive
Casper, WY 82604

James & Alberta Speck
Box 1426
Casper, WY 82602

Luissa King
1232 So. Elk
Casper, WY 82602

Mr. & Mrs. Jim Dinsmore
4115 E. 8th Street
Casper, WY 82609

Mr. & Mrs. Dick Drisany
6658 Sharrock Road
Casper, WY 82604

Kathy Fluer
Box 138
Lander, WY 82520

Jessi Foltz
6138 Raderville Rt.
Casper, WY 82604

Jeff Jones
5920 Okeepa, Alcova Rt.
Casper, WY 82604

Bill Snodgrass
5120 Alcova Rt., Box 21
Casper, WY 82604

Opal McInroy
PRBRC, 23 North Scott
Sheridan, WY 82801

Julia Rosenberger
241 N. Kimball
Casper, WY 82601

Pete & Jean Perry
Box 2371
Casper, WY 82602

Sharon Merchat
732 S. Grant
Casper, WY 82601

Max & June Kaye
4655 Glen Drive
Casper, WY 82604

Chuck Price
1261 Jamaica
Casper, WY 82609

Allen Hockaday
P. O. Box 281
Mills, WY 82644

and by interoffice mail of the same date to:

Thomas A. Roan
Assistant Attorney General
Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002

Roger Shaffer, Administrator
Dept. of Environmental Quality
122 W. 25th Street
Cheyenne, WY 82002


TERRI A. LORENZON, Attorney
Environmental Quality Council
2301 Central Avenue, Room 407
Cheyenne, WY 82002
Tel: (307) 777-7170