

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JUL 09 1993

Terri A. Lorenzon, Attorney
Environmental Quality Council

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

2/1 order

ORDER DISMISSING PROCEEDINGS WITHOUT PREJUDICE
AND REMANDING TO THE DEPARTMENT OF
ENVIRONMENTAL QUALITY

This matter having come on for hearing before the Environmental Quality Council on June 24, 1993, at 7:00 p.m. at the Oil and Gas Commission Hearing Room (Basko Building), 777 W. 1st Street, Casper, Wyoming, and the permit applicant, Rissler & McMurry, Inc., having appeared by and through its attorneys, Don Rissler and John Hursh of Central Wyoming Law Associates; the Friends of Bessemer Mountain, having appeared by and through its attorneys, Christopher H. Hawks and Gary L. Shockey of Lawyers and Advocates for Wyoming, of Jackson, Wyoming; the Department of Environmental Quality having appeared by and through Assistant Attorney Generals Tom Roan and Jane Caton; Richard Lincoln appeared pro se; and the Friends of Bessemer Mountain having presented its Motion to Find Rissler & McMurry's Application Incomplete and its Motion to Continue the contested case hearing in this matter, and the Department of Environmental Quality having stipulated on the record that the application was incomplete at the time it certified it as complete on April 19, 1993, and having further indicated the need to advertise the public's ability to review and object to certain aspects of the application by additional public notice, and Rissler & McMurry having stipulated that certain aspects of the application were not included in the application at the time of the determination by the Department of Environmental Quality that the application was complete; and the Environmental Quality Council being fully advised in the premises;

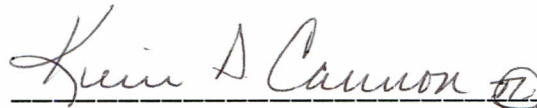
IT IS HEREBY ORDERED that all proceedings before the Environmental

Quality Council in this matter be dismissed without prejudice and the matter be remanded to the Department of Environmental Quality for further consideration of the completeness of the application; and

IT IS FURTHER ORDERED that the hearing in this matter set for August 19 and 20, 1993 in Casper, Wyoming, as well as any other proceedings pending before the Environmental Quality Council in this matter be, and hereby are, vacated.

This Order shall be effective as of June 24, 1993.

DATED this 9th day of July, 1993



KIM D. CANNON, Hearing Examiner

CERTIFICATE OF SERVICE

I, Terri A. Lorenzon, certify that at Cheyenne, Wyoming, on the 9th day of July, 1993, I served a copy of the foregoing ORDER DISMISSING PROCEEDINGS WITHOUT PREJUDICE AND REMANDING TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

Donald Rissler & John Hursh
Central Wyoming Law Associates, P.C.
P. O. Box 1783
Riverton, WY 82501

Christopher H. Hawks & Gary L. Shockey
Lawyers and Advocates for Wyoming
15 South Jackson Street
P. O. Box 548
Jackson, WY 83001

Richard Lincoln
Box 1662
Mills, WY 82644

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 Bldg.
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Thomas A. Roan & Jane Caton
Assistant Attorney Generals
Attorney General's Office
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