



MARCH 18, 1980

RANDALL L. POLLOCK  
SHEILA POLLOCK  
4453 S. MOONBEAM RD  
5034 ALCOVA RT Bx16  
CASPER, WYO. 82601

OWNERS: LOT 2 - MOONBEAM ACRES SUBDIV.

LAND QUALITY DIVISION  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
HATHAWAY BUILDING  
CHEYENNE, WYOMING 82002.



SUBJECT: MY OBJECTIONS TO THE REVISION OF  
RISSLER & MCMURRY CO. MINING PERMIT #461,  
RIMROCK PIT, FOR THE OPERATION OF A ROCK  
CRUSHER.

GENTLEMEN:

I/WE vigorously object to the revision of the  
Rissler & McMurry Co. of Casper mining permit #461  
for the Rimrock Pit located west of Casper as  
follows: SW 1/4 NE 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4, SW 1/4 NW 1/4,  
Section 28, T. 33 N., R. 80 W., NATRONA COUNTY, WYOMING.

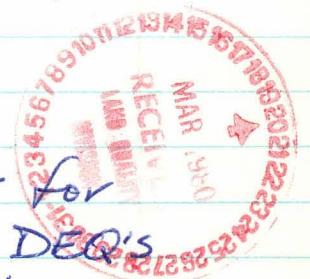
As we understand, the revision request is to  
allow the use of a rock crusher in the pit  
area. As an adjacent property owner, I object  
to the request for the rock crusher for the  
following reasons:

c: LQD, EQC, AG(C. Mai, J. Ronan) 3-20-80.ak.  
File



1. The use of a rock crusher in this area was formerly disallowed due to objections from property owners in the area of my property. This action was taken several years ago and there are many more property owners living there ~~than~~ now than before. This fact alone should support the previous decision to disallow use of the rock crusher.
2. We live ~~west~~ <sup>east</sup> of the proposed rock crusher site. With the prevailing west wind, the noise and dust created by the rock crusher would severely degrade the environmental quality of our property due to the ensuing dust and noise pollution.
3. We also object to the use of the rock crusher because we believe that the air and noise pollution created by the crusher would lower the desirability of Moonbeam acres as a place to live and raise a family. We bought the place because of the location affording quiet, space, and clean air. We also believe that property values would decline because, who wants to live next door to a rock crusher! Not us, that's for sure.

Wyoming is well known for its support for a clean environment. We support the DEQ's efforts to retain the air and land quality we now enjoy. For these reasons, we request







5034 Alcega Rt. #12  
Casper, Wyo. 82601  
March 15, 1980

Department of Environmental Quality  
Land Quality Division  
Hathaway Building  
Cheyenne, Wyoming 82002



Re: Permit No. 461

TFN 16/159

To Whom It May Concern:

In regard to the permit of Kessler and McMurry Company of Casper, we are not apposed to use of a crusher however, we are somewhat concerned about the noise and dust pollution. We are in hopes that this will not increase much as we have enough dust already and we have moved out of town to get away from the noise.

Sincerely,

Mr. and Mrs. Richard Portz



March 20, 1980



Department of Environmental Quality  
Hathaway Building  
Cheyenne, Wyoming 82002

Gentlemen:

It is our understanding that Rissler and McMurry are planning again to start a rock crusher. The purposed location is adjacent to our home located at 61 Sherrock Road, we are deeply concerned.

It has been determined by the Environmental Quality Council in their findings and order of Docket 205-76 of August 1, 1977, that this did constitute a public nuisance.

We object to Rissler and McMurry restarting the crusher for a number of reasons:

- 1) The operation is moving closer and closer to the zoned residential area and city.
- 2) The air quality of Casper and surrounding areas is at a critical point of pollution, and this operation would be West of Casper and our property with the prevailing winds toward the residents and city.
- 3) The noise and dust level would be offensive.

Gentlemen, please stand by the orders of Docket No. 205-76. This decision was reached after long and careful study and hearings.

Sincerely yours,

*Ray A. Noah Catherine I. Noah*  
Ray A. & Catherine I. Noah  
5024 Alcova Rt. Box 39  
Casper, Wyoming 82601



*objection letter received  
after deadline of  
objection period*

March 19, 1980

Mr. & Mrs. William C. Pope  
5034 Alcova Route Box 7  
Casper, Wyoming 82601

Department of Environmental Quality  
Land Quality Division  
Hathaway Building  
Cheyenne, Wyoming 82002  
ATTN: Walt Ackerman

Re: Objections to proposed modification  
of Permit No. 461

Dear Mr. Ackerman,

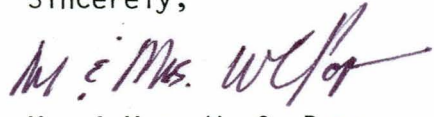
As property owners in the immediate area of the Rim Rock Pit, Permit Number 461, we do object to the proposed revision to modify paragraph one, page five of the order by the Environmental Quality Council disallowing the use of a crusher in the pit area. Disallowance of the crusher in this area is already a matter of record and a conclusion of law as stated in Item 1 on page five of the Environmental Quality Council Findings of Facts, Conclusions of Law and Order.

The granting of this revision would also tend to create a precedent to allow another mining operation including a rock crusher, which is rumored to be proposed for our immediate area.

Mr. Rissler has not shown good faith in complying with the original conclusions of the hearings before the Environmental Quality Council on June 9, 1977 and June 10, 1977. He has violated Order No. 3 on page five relative to conducting his operation between the hours of 7:00 a.m. and 5:00 p.m. many times. Also he has not performed his mining operation as described by applicants testimony under findings of fact, Item 14-B on page three, in that he worked many weekends during the summer months of 1979.

I repeat we strongly object to this proposed revision and will use all available legal means to fight it.

Sincerely,



Mr. & Mrs. W. C. Pope

cc: E.Q.C. c/o David B. Park



c: LQD, EQC, AG ( C. Mai, J. Ronan) 3-21-80.ak.

MARCH 14, 1980

Land Quality Division of  
the Department of Environmental Quality  
Hathaway Building, Cheyenne, WY 82002

Dear Sirs:

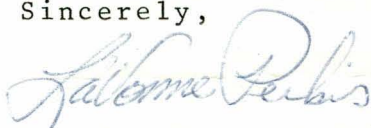
Please accept this letter as objection to the use  
of a crusher in the vicinity of the Rissler &  
McMurry Co. gravel pit.

The gravel company was shut down on this previously,  
must we continue to watch every notice and be  
constantly on our guard, paying additional lawyers  
and fees for all the time that we choose to live  
in a peaceful area.

We choose this area to escape the noise of city life  
and now we are asked to live with an earsplitting  
noise in our backyard. The butte located behind us  
creates a fantastic echo chamber for noise as even  
trucks traveling up the hill are amplified.

We do strenuously object to a rock crusher. With all  
the open areas in Wyoming, why must they request this  
noise polluting equipment in an area where so many  
are making their homes.

Sincerely,



Ron & LaVonne Perkins  
5024 Alcova Rt. Box 27  
7600 Riverside Drive  
Casper, WY 82601



c: LQD, EQC, AG (C. Mai, J. Ronan) 3-20-80.ak.



Department of Environmental Quality  
 Land Quality Division  
 Cheyenne, Wyoming



Dear Committee:

We, the undersigned, object to the revision of Permit No. 461 as proposed by Rissler and McMurry in the Rimrock Pit area and specifically to the use of a rock crusher in this area.

The air quality of Casper and surrounding areas has reached a critical level. With Casper's prevailing winds, this crusher west of the city would contribute to the further destruction of the air quality not only for the adjacent residents but for the city's residents as well.

The situation is even more critical for the adjacent residents as the long term operation moves closer to them.

We ask that the committee stand by the findings and orders of the Environmental Quality Council (Docket 205-76) of August 1, 1977, which specifically prohibits the use of a rock crusher.

Name	Address	Date
John W. Robertson	5024 Alcova Rt. B/23 Casper Wyo	3-15-80
Jamie J. Spaulding	5024 Alcova Rt #7 Casper Wyo	3-15-80
A. A. Nash	5024 Alcova Rt B/31 Casper Wyo	3-15-80
Mary M. Nash	5024 Alcova Rt Box 31 Casper, Wyo	3-15-80
Bob Sowe	5034 Alcova Rt Box 20 Casper, Wyo	3-15-80
Merin E. Young	5024 Alcova Rt. box 34 Casper, Wyo.	3-15-80
James W. Huskey	5024 Alcova Rt. Box 22 Casper, Wyo	3-15-80
Deborah Hughes	5024 Alcova Rt, Bx. 29 Casper	3/16/80
John Hughes	5022 Alcova RT BX 29 Casper	3/16/80
Larry L. Berlin	5024 Alcova RT Box 38 Casper	3/16/80
Did DeWitt	220 Sunflower	Casper Wyo
Jerry Spaulding	5024 ALCOVA RT Box 7	" "

c: LQD, EQC, AG (C. Mai, J. Roman) 3-19-80.ak.



Department of Environmental Quality  
Land Quality Division  
Cheyenne, Wyoming



Dear Committee:


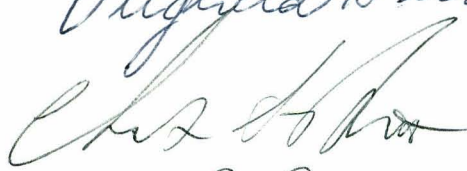
We, the undersigned, object to the revision of Permit No. 441 as proposed by Rissler and McMurry in the Rimrock Pit area and specifically to the use of a rock crusher in this area.

The air quality of Casper and surrounding areas has reached a critical level. With Casper's prevailing winds, this crusher west of the city would contribute to the further destruction of the air quality not only for the adjacent residents but for the city's residents as well.

The situation is even more critical for the adjacent residents as the long term operation moves closer to them.

We ask that the committee stand by the findings and orders of the Environmental Quality Council (Docket 205-76) of August 1, 1977, which specifically prohibits the use of a rock crusher.

Name \_\_\_\_\_ Address \_\_\_\_\_ Date \_\_\_\_\_

	P.O. Box 4189	Mar 16 - 80
Virginia Dent	Box 4189	3/14/80
	ROBERTSON KB	3/16/80
Alice R. Robertson	5024 Alcovart #23	3/16/80

**MURANE & BOSTWICK**

ATTORNEYS AT LAW

SUITE 500 THE WYOMING BUILDING

TELEPHONE: (307) 234-9345

CASPER, WYOMING 82601

R. R. BOSTWICK  
HOWELL C. MCDANIEL, JR.  
DAVID A. SCOTT  
G. G. GREENLEE  
JAMES W. OWENS  
W. HENRY COMBS, III  
PATRICK DIXON  
ROBERT M. SHIVELY

EDWARD E. MURANE  
1902-1975

March 12, 1980

Department of Environmental Quality  
Hathaway Building  
Cheyenne, WY 83001

ATTENTION: W. C. Ackerman,  
Administrator

RE: TFN 1 6/159 - Rissler and McMurray  
Company, Docket No. 667-80

Dear Mr. Ackerman:

In 1977, a hearing was held by your department concerning a mining permit application requested by Rissler - McMurray. As a part of that hearing, area residents testified as to the noise created by the Rissler - McMurray mining and crushing operation. It became apparent that the noise problem, at least to some extent, would be alleviated by the crushing operation being taken out. This provision, not allowing the crushing, became and was the number one concern of area residents. It was also the number one thing not allowed by your Commission's order. I am sure you have a transcript of the proceedings in your file and can verify that.

I do not understand why area residents are now required to go to the time and expense of another hearing concerning the crushing portion of the Rissler - McMurray operation. The physical facts, the amphitheater affect of the area, the close proximity of the residences and the noise created remain unchanged.

I have agreed to represent some area residents should a hearing be necessary and would request the complete file, including your most current rules and regulations as well as the Rissler - McMurray application.



c: File, EQC, AG(C, Mai) 3-14-80.ak.



5034 Alcova Route Box 6  
Casper, Wyoming 82601

March 4, 1980



David B Park, Chairman  
Wyoming Environmental Quality Council  
Hathaway Building Room 117  
Cheyenne, Wyoming 82002

Gentlemen:

Please refer to Docket No. 205-76 regarding the Rissler-McMurry mining permit No. 461 to mine the Rimrock Pit in Natrona County.

Rissler and McMurry Company testified this operation would be a hydraulic operation with wet aggregate, etc. as specified in item 14 on page 3 of Docket No. 205-76 but now they have asked that your orders be set aside and that the rock crusher be returned.

The findings and orders of your Docket 205-76 were reached after long, expensive hearings by the residents adjacent to the pit. We felt that you tried very hard to be fair and, although you did grant Rissler and McMurry their permit, the restrictive orders made it tolerable (when they obey them).

We object again to the use of a rock crusher so close to our zoned residential area and which you specifically prohibited in your order No. 1, Page 5. We wish to advise that the situation is even more critical for a number of reasons:

1. The operation is moving closer and closer to the zoned residential area and city.
2. The air quality of Casper is at a critical point and this operation is west with prevailing winds toward the residents and the city.
3. This is a long term operation and has only been made barely tolerable by your orders of August 1, 1977.
4. We also have to contend with the destruction of our environment by use of the "ten acre exemption" amendment which is making the situation even more critical.
5. The residents of this area who certainly do not have the financial resources of Rissler and McMurry suffered through long expensive hearings and have also suffered repercussions and duress as a result of fighting for their environment. There have been threatening phone calls; a resident was forced to move his well eight feet at a cost of more than \$2000 when Rissler and McMurry purchased two very narrow strips of land (.4 of an acre and .5 of an acre) of land between the residents lands and the river. We can see no reason for the purchase of this land other than duress.

Rissler and McMurry have also violated the orders of August 1, 1977. This was reported to the DEQ in March 1978 and substantiated. The haul road has been surfaced in patches and not in its entirety also.

We ask that you stand by your findings and order of Docket No. 205-76. These were not come by lightly and it would be very difficult and expensive for the residents to go through all this again and again.

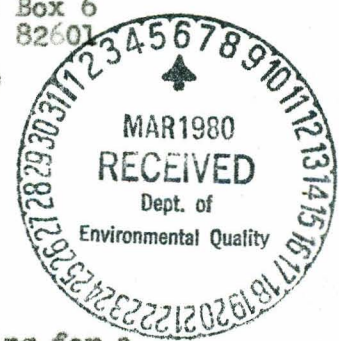
Sincerely,

Stan and Irma Stolt

c: AOD, LQD, EQC, AG (C. Mai, R. Lewis, J. Ronan) 3-6-80.ak.  
File.



5034 Alcova Route Box 6  
Casper, Wyoming 82601  
February 20, 1980



Land Quality Division  
Department of Environmental Quality  
Hathaway Building, Cheyenne, Wyoming

Gentlemen:

Please refer to the legal notice issued by Rissler and McMurry applying for a revision of the mining plan for the Rimrock Pit, Permit No. 461.

We object to revision of this permit and especially to the use of a rock crusher. It was determined by the Environmental Quality Council in their findings and order of Docket 205-76 of August 1, 1977, that this rock crusher constituted a public nuisance and we want to point out that the situation is even more critical for the adjacent residents and all of Casper at this time for a number of reasons:

1. The operation is moving closer and closer to the zoned residential area and city.
2. The air quality of Casper and surrounding areas is at a critical point of pollution and this operation is west with prevailing winds toward the residents and city.
3. This is a long term operation which has a long time to go and has only been made barely tolerable by the order of August 1, 1977.
4. We also have to contend with the destruction of our environment by use of the "ten acre exemption" amendment which is making the situation even more critical.
5. The residents of this area who certainly do not have the financial resources of Rissler and McMurry suffered through long, expensive hearings and have been subjected to repercussions and duress as a result of fighting for the environment.
6. To obtain their permit, Rissler and McMurry Company testified it would be a hydraulic operation with wet aggregate, etc. as specified in item 14 on page 3, Docket No. 205-76. Would not the use of the crusher make their testimony a deception expedient to obtaining their permit?

Rissler and McMurry have repeatedly broken the orders as reported to you in March 1978. Also the haul road is surfaced in patches and not in its entirety.

We felt that the Environmental Quality Council tried very hard to be fair and, although they did grant Rissler and McMurry their permit, the restrictions have made it tolerable when Rissler and McMurry obey them. Surely we do not have to go through hearings and hurtful expense and duress every time they want to change the orders?

Please stand by the orders of Docket No. 205-76 which were arrived at after long and careful study of the hearings and permit.

Very truly yours,  
Stan and Irma Stolt

✓ cc : Robert E. Sundin  
Air Quality Division

c: AQD, EQC, AG (C. Mai, R. Lewis, J. Ronan) 3-6-80.ak.  
File.



2/26/80

Land Quality Division  
Department of Environmental Quality

I live on the bank of the North Platt river. My home is directly down wind (the prevailing Wind) from the existing gravel pit. I am sometimes disturbed at night by noise of the existing plant. I feel that Paragraph 1, page 5 disallowing the use of a crusher in this area was put there to prevent noise, air and water pollution. I object to this change as I feel that a crusher is going to directly affect all of these conditions adversely. There are many new homes built or being built in this area since the permit was granted. This seems all the more reason to keep the original form of this permit. The river behind my home is already quite muddy I would not like to see any increase in this condition.

This letter is concerning Permit No. 461. The area is SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 28, T.33N, R 80 W., Natrona County, Wyoming.

In talking to my neighbors this seems to be the general opinion of the area. Please do your best to prevent this change.

Sincerely

*Charles A. Whitaker*

Charles A. Whitaker  
5024 Alcova RT. Box 43  
Casper, Wyoming. 82601  
7688 Riverside Drive.

c: File, EQC, AG (C. Mai, J. Ronan) 3-7-80.ak.



*M. C. A.  
3-7-1980*

Land Quality Division  
Department of Environmental Quality  
Hathaway Bldg.  
Cheyenne, Wyoming 82002

Gentlemen:

We object to the use of a crusher by Rissler and McMurry Com pany in the Rimrock Pit, Permit No. 461.

Rissler and McMurry secured this permit by saying they were going to conduct a hydraulic operation, during daylight hours and it was so ordered in your findings of August 1st 1977.

Will you please stand by these orders.

The situation is even more critical now than in 1977 as the operation is ooming closer and there are more residents.

This is in answer to the legal notice.

Very truly,

*Mr Harold Davis*  
*Harold F Davis*



c: File, EQC, AG (C. Mai, J. Ronan) 3-7-80.ak.

*M. C. ...  
8 Mar 1980*





TFN 1 1/159

NOTICE

Docket No. 667-80

The Rissler & McMurry Co. of Casper, Wyoming has applied for a revision of its mining plan for the Rimrock Pit, Permit No. 461, with the Land Quality Division of the Department of Environmental Quality. The location of the Rimrock Pit, Permit No. 461 is SW 1/4 NE 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4, SW 1/4 NW 1/4, Section 28, T. 33 N., R. 80 W., Natrona County, Wyoming. The proposed revision is to modify Par. 1, Page 5 of the order by the Environmental Quality Council disallowing the use of a crusher in the pit area. The proposed revision regarding the use of a crusher may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne, Wyoming and the Office of Rissler & McMurry Co., in Casper, Wyoming during normal business hours. Objections to the proposed modification of Permit No. 461 may be submitted to the Land Quality Division of the Department of Environmental Quality, Hathaway Building, Cheyenne, Wyoming 82002, before March 22, 1980.

Publish January 31, February 4, 14 & 21.

February 24, 1980

Dear Members of the Department of Environmental Quality:

We most certainly do object to any revision of the mining plan for Rimrock Pit, Permit No. 461, or any other gravel project that would allow use of a crusher in our neighborhood. The beep, beep of the machines they have permission to use is terribly distracting when we are able to have the windows open, and the use of a crusher would make the dust and noise that much worse. I wish with all my heart that we had known there would be a mess like this in the neighborhood before we built here. We were just sick when we arrived home from vacation the other day and there was an ugly scar of a road across the face of the historical Red Buttes....and we were told a Mr. Orr is going to mine it and doesn't have to follow your rules because he is just going to mine it 10 acres at a time. Would anyone like to buy a four bedroom, three bath brick home?

Sincerely,

*Mary & Don Nash*

Mr. and Mrs. Donaldson A. Nash  
 (4229 Shetland Road)  
 5024 Alcova Rt. Box 31  
 Casper, Wy. 82601



*M. Co  
1 MAR 1980*

c: File, EQC, AG (C. Mai, J. Ronan) 3-7-80.ak.

FEBRUARY 9, 1980



TFN 1 9/159

LAND QUALITY DIVISION  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
HATHAWAY BUILDING  
CHEYENNE, WYOMING 82002

Docket No. 667-80

SUBJECT: PROPOSED MODIFICATION OF PERMIT NO. 461.

GENTLEMEN:

I RECENTLY RECEIVED A LETTER FROM RISSLER AND MCMURRY CO. TELLING OF A PROPOSED REVISION TO THE SUBJECT PERMIT ASKING FOR PERMISSION TO USE A CRUSHER IN THE PIT AREA, AND THAT IF I HAD ANY OBJECTIONS I SHOULD WRITE TO YOUR OFFICE.

I LIVE EAST OF THE PIT AREA AND AT THE TIME THE ORIGINAL PERMIT WAS GRANTED I WAS AGAINST IT. NOW THAT THE COMPANY IS ASKING FOR PERMISSION TO USE A CRUSHER, I AM MORE STRONGLY AGAINST THIS REVISION.

I HAVE TWO DAUGHTERS THAT HAVE ALERGIES, DUST INCLUDED, AND I FEEL THAT THIS WOULD INCREASE THE PROBLEMS WE ARE ALREADY HAVING WITH DUST IN THE AREA. THIS INCREASE IN DUST ALSO WOULD CAUSE POLUTION OF THE AIR QUALITY IN A RESIDENTIAL AREA WHERE THE WIND BLOWS MOST OF THE TIME FROM THE WEST.

I WOULD LIKE TO VOICE MY OBJECTIONS IN THE STRONGEST OF TERMS.

I WOULD ALSO LIKE TO POINT OUT THAT THEY ARE CONSTRUCTING A ROAD IN THE AREA THAT WILL ADD TO THE POLUTION.

PLEASE KEEP ME ADVISED OF THIS PROPOSED REVISION.

SINCERELY,

DAVID L. RICKELL

5024 ALCOVA ROUTE, BOX 41  
CASPER, WYOMING 82601





2510 Saratoga Rd.  
Casper, Wyoming  
82601

Land Quality Division  
Dept. of Environmental Quality  
Hathaway Building  
Cheyenne, Wyoming 82001



Gentlemen:

We have heard that Rissler and McMurry are planning on starting up the rock crusher. As this is adjacent to our house located at 81, Trotter Rd., we are gravely concerned.

It was determined by the Environmental Quality Council in their findings and order of Docket 205-76 of August 1, 1977, that this constituted a public nuisance.

We object to Rissler and McMurry restarting the crusher on a number of reasons:

- 1: The operation is moving closer and closer to the zoned residential area and city.
- 2: The air quality of Casper and surrounding areas is at a critical point of pollution, and this operation is West with prevailing winds toward the residents and city.
- 3: I work a swing shift and it is an absolute necessity that I sleep thru the day-time hours every other week. The schedule of 7A.M. to 5P.M. would not be acceptable with me.

Please stand by the orders of Docket No. 205-76 which were arrived at after long and careful study of the hearing and permit.

Very truly yours,

*Darry Woodling*