

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING
Docket No. 1109-82

IN THE MATTER OF THE NOTICE)
OF VIOLATION AND CEASE AND)
DESIST ORDER ISSUED TO)
RISSLER & McMURRY COMPANY)
PERMIT NO. 255ET.)

STIPULATION

Petitioner, Rissler & McMurry Company, and the Wyoming Department of Environmental Quality, hereby agree and stipulate as follows:

I. FACTUAL RECITALS

a) At all times relevant hereto and continuing until the present, Rissler & McMurry Company is the operator under Permit No. 255ET which includes lands located within the SW1/4SW1/4, Section 33, T34N, R77W Natrona County, Wyoming.

b) On July 19, 1982, the Department of Environmental Quality served upon the operator a Notice of Violation and Cease and Desist Order outlining various violations of the Environmental Quality Act and rules and regulations promulgated thereunder. The Notice of Violation and Cease and Desist Order, docket number 1109-82 is a matter of public record in this matter and incorporated herein by this reference as an outline of the alleged violations and corrective actions required.

c) On July 22, 1982 Rissler & McMurry Company appealed the aforementioned Notice of Violation and Cease and Desist Order and requested a hearing before the Environmental Quality Council.

II. STIPULATIONS OF RISSLER & McMURRY COMPANY
AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY

a) The operator, Rissler & McMurry Company, and the Department of Environmental Quality, Land Quality Division agree that all corrective action required in NOV/CD 1109-82 has been accomplished.

b) The Cease and Desist Order #1109-82 has been lifted as indicated by letter of November 8, 1982 from Robert E. Sundin, Director, Department of Environmental Quality.

c) The operator, Rissler & McMurry Company will continue their efforts to satisfy the requirements for and obtain a small mining permit to replace permit 255ET.

d) The Department of Environmental Quality will not pursue enforcement action for those violations enumerated in NOV/CD 1109-82.

e) The operator, Rissler & McMurry Company, does hereby request the Council to dismiss it's request for hearing in this matter.

WHEREFORE, the parties herein hereby agree that performance of the conditions stipulated above shall constitute a mutually satisfactory resolution of the petition before the Environmental Quality Council, Docket No. 1109-82 and therefore request the Council to enter an Order approving and adopting

the provisions of this Stipulation; and dismiss the petition of Rissler & McMurry Company.

DATED this 24th day of ~~December~~ ^{JANUARY}, 1983.

RISSLER & McMURRY COMPANY

By 

By Roger Shaffer for W.C. Ackerman
DEPT OF ENVIRONMENTAL
QUALITY/LAND QUALITY DIV.

By 

Weldon S. Caldbeck
Assistant Attorney General
Attorney/Land Quality Div.