

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

JAN 09 2002

IN THE MATTER OF THE NOTICE OF)
VIOLATION AND ORDER ISSUED TO:)
AMF of Wyoming, a subsidiary of)
MINSTAR, INC.,)
100 S. FIFTH ST., SUITE 400)
MINNEAPOLIS, MN 55402)

Terri A. Lorenzon, Director
Environmental Quality Council
DOCKET NO. 00-5201

ORDER APPROVING JOINT STIPULATION FOR WITHDRAWAL OF APPEAL

The Wyoming Department of Environmental Quality ("DEQ"), Solid & Hazardous Waste Division issued a Final Decision for Remediation of Contaminated Groundwater at the Wyott Site Study Area ("Final Remedy Decision") dated June 2, 2000 in this matter. AMF of Wyoming timely petitioned the Council for review of the DEQ's June 2, 2000 Final Remedy Decision. Since then the parties exchanged discovery requests and engaged in settlement negotiations. The DEQ and AMF of Wyoming filed a Joint Stipulation with the Council on September 26, 2001 to resolve this matter without a hearing. The Joint Stipulation:

(¶5) stipulates to withdrawal and dismissal with prejudice of AMF of Wyoming's appeal, and

(¶7) requests entry of an Order by the Council approving, incorporating and binding the parties to their Joint Stipulation.

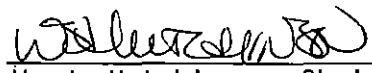
W.S. 16-3-107(n) and Chapter I, Section 11 of the DEQ Rules of Practice & Procedure provide for disposition of contested cases by stipulation of the parties upon approval of the Council.

The Council having considered the parties' Stipulation and being fully advised in the premises,

IT IS HEREBY ORDERED that:

The parties' JOINT STIPULATION FOR WITHDRAWAL OF APPEAL in this matter is approved and incorporated into this Order and shall be binding upon them, and, accordingly, AMF of Wyoming's appeal is dismissed with prejudice.

DATED this 17th day of December, 2001.


Wendy Hutchinson, Chair
Environmental Quality Council
122 W. 25th Street
Herschler Bldg., Rm. 1714
Cheyenne, WY 82002
Tel: (307) 777-7170
Fax: (307) 777-6134

CERTIFICATE OF SERVICE

I, TERRI A. LORENZON, certify that at Cheyenne, Wyoming, on the 9th day of January, 2002, I served a copy of the foregoing ORDER APPROVING JOINT STIPULATION FOR WITHDRAWAL OF APPEAL by depositing copies of the same in the United States mail, postage prepaid, duly enveloped and addressed to:

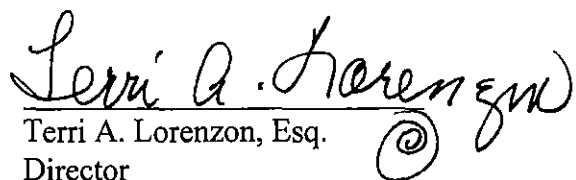
Colin G. Harris
Holme Roberts & Owen LLP
1401 Pearl Street, Suite 400
Boulder, CO 80302-5314

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

David Finley, Administrator
Solid & Hazardous Waste Division
Department of Environmental Quality
122 W. 25th Street, Herschler Bldg.
Cheyenne, WY 82002

Mike Barrash
Senior Assistant Attorney General
Attorney General's Office
123 Capitol Building
Cheyenne, WY 82002


Terri A. Lorenzon, Esq.
Director