

N**ORTHLAND**
I**NDUSTRIAL**
S**PECIALTIES L.L.C.**

FILED

FEB 14 2007

Terri A. Lorenzon, Director
Environmental Quality Council

PO Box 1886 - 1088 Robertson Circle - Gillette, WY 82718 • Tel: 307-682-2063 Fax: 307-682-0977
E-mail • info@nisprocess.com

January 29, 2007

Bill Dirienzo
Wyoming Department of Environmental Quality - Water Quality Division
122 W. 25th St.
Herschler Bldg., 4th Floor West
Cheyenne, WY 82002
Fax: 307-777-5973

RE: Comments pertaining to the proposed Chapter 1, Section 20, Appendix H - Ag Use Protection Policy

To: The Chairman of the WEQC,

Northland Industrial Specialties, I.I.C would like to take this opportunity to comment on and express our opposition in regards to the proposed Chapter 1, Section 20, Appendix H - Ag Use Protection Policy Rulemaking Decision.

It is our understanding that Appendix H would eliminate a source of water needed by ranchers and will negatively affect livestock and wildlife uses due to the overly stringent criteria that would be enforced for CBM produced water discharge. We are firm believers in proper responsibility and management of produced water development, however to place excessive regulation for such permitting seems damaging to our economy and rights as landowners. The relationship between CBM producers and landowners should be left in place to manage the produced water discharge and use. These are the ones affected by the policy and thus should be allowed the right to manage as best seen fit.

The limits that are being set for SAR and EC seem to be unattainable as natural rainwater runoff does not typically meet the default limits spelled out in the policy. The Water and Waste Advisory Board suggested to WYDEQ that it consider water quality standards based on Bridger, Montana Study. This study would seem to be more appropriate for use in Wyoming as the study makes use of soils similar in our state, rather than the California study currently being used.

What sets the precedence for a 50 year/24 hour flood event and why is this the criteria for management of the landowners' reservoirs? Why not a 5 year event or a 1 year event? It would seem that if there was such an event there may not be many places that could contain what mother-nature could do.

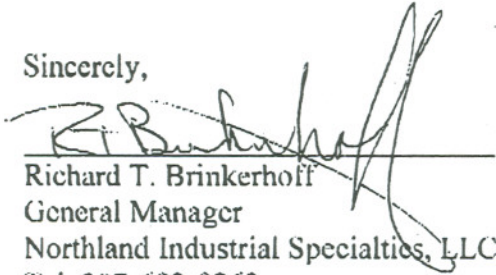
Assuming that this policy were to advance to the point of becoming a Rule of WDEQ. Who would be responsible for the compensation of the landowners who would be negatively impacted

by the loss of water used for irrigation, and livestock. Would it be the State? Thus the tax payers (individual and business)?

While it is understood that there have been isolated problems with some land owners/ranchers, there is a vast majority that have benefited from the use of the CBM discharged water for irrigation, livestock and wildlife drinking water in locations that had little or none due to current weather conditions.

In summary we oppose the proposed Appendix H Rulemaking decision. We thank you for the opportunity to comment on the ruling and respectfully ask that our comments be submitted into the records.

Sincerely,



Richard T. Brinkerhoff
General Manager
Northland Industrial Specialties, LLC
Tel: 307-682-0263
Fax: 307-682-0977



Brian M. Norstogaard
Field Construction Supervisor / Owner
Northland Industrial Specialties, LLC

Cc: NIS, LLC Owners
NPS, LLC
Ridge Runners Investments, LLC