

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING  
EQC DOCKET NO. 01-2602

IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO CUNDY ASPHALT )  
PAVING CONSTRUCTION, INC., MR. ERNEST )  
SKRETTERBERG, VICE PRESIDENT, )  
P.O. BOX 2469, GILLETTE, WY 82717-2469 )

DOCKET NO. 3310-01

**FILED**

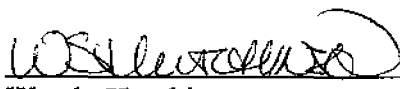
FEB 23 2002

Terri A. Lorenzon, Director  
Environmental Quality Council

**DISMISSAL ORDER**

This case having come before the council on Respondent Wyoming Department of Environmental Quality's MOTION TO DISMISS and it appearing from the pleadings that the Petitioner Cundy Asphalt Paving Construction, Inc. (CAPCI) is not entitled to a contested case hearing before the Environmental Quality Council because Notice of Violation Docket No. 3310-01 issued to Petitioner CAPCI does not contain a cease and desist order, it is hereby ordered that this case is dismissed.

This 22<sup>nd</sup> day of February, 2002.

  
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Wendy Hutchinson  
Chairman, Environmental Quality Council