

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

In the Matter of: )  
Basin Electric Power Cooperative ) Docket No. 10-2802  
Air Quality Permit No. MD-6047 )  
BART Permit: Laramie River Station )

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**RESPONSE TO BASIN ELECTRIC'S MOTION FOR SUMMARY JUDGMENT**

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**DEQ/AQD Transmittal Letter, dated 5/27/09**

**EXHIBIT 12**



# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

May 27, 2009

Mr. Robert L. Eriksen  
Environmental Compliance Administrator  
Basin Electric Power Cooperative  
1717 East Interstate Avenue  
Bismarck, ND 58503-0564

**CERTIFIED – RETURN RECEIPT REQUESTED**  
Notice of Publication  
Permit Application AP-6047

Dear Mr. Eriksen:

The Division of Air Quality has completed its initial evaluation of your permit application to address Best Available Retro-fit Technology (BART) for three units, under the Regional Haze Rule.

A copy of the public notice and of our evaluation is enclosed for your information. I would recommend that you review the proposed permit conditions associated with the Division's proposed approval. The Public Notice will appear in the June 3, 2009 issue of the Platte County Record Times, Wheatland, Wyoming.

A copy of our evaluation and of your permit application will be kept on file for a sixty (60) day public inspection and comment period. At the end of this period, we will consider all comments made concerning your application and a final decision will be made on your application.

Per Chapter 6, Section 2(o) of the Wyoming Air Quality Standards & Regulations an initial billing is attached for the costs incurred by the Department in reviewing the application. Payment of the initial fee is required prior to permit issuance. An additional fee and any adjustments required to the initial fee shall be made upon permit issuance to cover any additional costs associated with final permit issuance, including costs of public notice, holding public hearings, reviewing public comments and final issuance of permit.

If you should have any questions concerning this matter, please feel free to contact me.

Sincerely,

*Andrew Keyfater*  
Andrew Keyfater  
NSR Permit Engineer  
Air Quality Division

cc: Glenn Spangler  
Bob Gill

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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AQD LRS BART  
000545

7008 0500 0000 5531 0990

PS Form 3811, February 2004  
See Reverse for Instructions

Sent To  
Basin Electric  
PP-6047 PH  
City, State, ZIP+4

Street, Apt. No.  
or PO Box No.

Postmark Here

Postage \$  
Certified Fee \$  
Return Receipt Fee (Endorsement Required) \$  
Restricted Delivery Fee (Endorsement Required) \$  
Total Postage & Fees \$

**OFFICIAL USE**

US Postal Service  
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For delivery information, visit our website at www.usps.com

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
Mr. Robert L. Erksen  
Environ. Compliance Administrator  
Basin Electric Power Cooperative  
1717 East Interstate Avenue  
Bismark, ND 58503-0564

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent

B. Requested by (Printed Name)  Addressee

C. Date of Delivery 6-1-9  Yes  No

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

AP-6047 PH

7008 0500 0000 5531 0990

2. Article Number  
(Transfer from service label)  
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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Domestic Return Receipt  
102595-02-M-1540

2. Article Number  
7008 0500 0000 5531 1000  
(Transfer from serv.)

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes  No

1. Article Addressed to:  
Mr. Lyle Witham  
Basin Electric Power Cooperative  
1717 East Interstate Avenue  
Bismark, ND 58503-0564

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
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■ Attach this card to the back of the mailpiece, or on the front if space permits.

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