

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

**FILED**

NOV 19 2010

Jim Ruby, Executive Secretary  
Environmental Quality Council

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

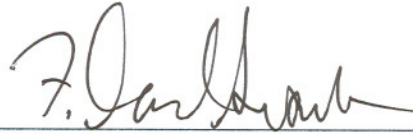
Docket No. 10-2802

**ORDER APPROVING SETTLEMENT AGREEMENT AND STAYING APPEAL  
PENDING FINAL DISMISSAL**

The matter having come before the Council upon the joint motion of Petitioner Basin Electric Power Cooperative (“Basin Electric”) and Respondent Wyoming Department of Environmental Quality, Air Quality Division (“DEQ/AQD”), the Council hereby ORDERS as follows:

1. The Settlement Agreement is Approved, and DEQ/AQD is Ordered to Modify (BART) Permit MD-6047 pursuant to the terms of the Settlement Agreement if DEQ does not exercise its option to cancel pursuant to paragraph 6 of the Agreement.
2. This appeal is stayed pending DEQ/AQD’s decision whether to cancel the Settlement Agreement.
3. The Parties shall promptly inform the Council in writing of DEQ/AQD’s decision on its option to cancel, and submit an order of dismissal for the Council to enter if DEQ/AQD decides not to cancel the Settlement Agreement.

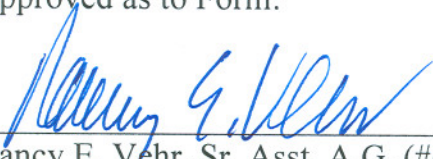
DATED THIS 18<sup>th</sup> day of November, 2010.



~~Tim Flitner, Chairman~~

F. David Searle *President Officer*

Approved as to Form:



Nancy E. Vehr, Sr. Asst. A.G. (#6-3341)  
Attorney for State of Wyoming, DEQ/AQD


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Patrick R. Day (#5-2246)  
Mark R. Ruppert (#6-3593)  
Attorney for Basin Electric

DATED THIS \_\_\_ day of November, 2010.

\_\_\_\_\_  
Tim Flitner, Chairman

Approved as to Form:

  
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Nancy E. Vehr, Sr. Asst. A.G. (#6-3341)  
Attorney for State of Wyoming, DEQ/AQD

  
\_\_\_\_\_  
Patrick R. Day (#5-2246)  
Mark R. Ruppert (#6-3593)  
Attorney for Basin Electric

## CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 19<sup>th</sup> day of November, 2010, I served a copy of the foregoing **ORDER APPROVING SETTLEMENT AGREEMENT AND STAYING APPEAL PENDING FINAL DISMISSAL** by electronic mail to the following:

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