# BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

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In the Matter of the Appeal And Petition for Hearing of: Croell Redi-Mix, DEQ AQD Permit Application No. AP-9645 And DEQ AQD Permit No. MD-9645 Dated March 17, 2010

Docket No. 10-2803

# **DEQ'S MOTION FOR SUMMARY JUDGMENT**

## EXHIBIT 10

Publisher's Affidavit

DEQ Bates Nos. 000043

## STATE OF WYOMING

## Department of Environmental Quality/Division of Air Quality

### PUBLIC NOTICE

Chapter 6, Section 2(m) of the Wvoming Air Quality Standards and Regulations provides that prior to final determination on an application to modify an existing source, opportunity be given for public comment and/or public hearing on the information submitted by the owner or operator and on the analysis underlying the proposed ap , proval or disapproval. The regulation further requires that such information be made available in at least one location in the affected air quality control region, and that the public be allowed a period of thirty (30) days in which to submit comments." A public hearing will be conducted only if in the opinion of the administrator sufficient interest is generated or if an aggrieved party so requests:

Notice is hereby given that the State of Wyoming, Department of Environmental Quality Division of Air Quality, proposes to approve a request by the following applicant to modify an existing source in Crook County, Wyoming.

> Croell Redi-Mix PO Box 1352 Sundance, WY 82729

The applicant has requested permission to modify the Rogers Rock Pit, which will include limestone crushing, screening, blasting, exposed acreage. stockpiling, haul activity, a hot mix asphalt plant and a concrete batch plant located in the NW1/4NE1/4 of Section 25, T52N, R62W, approximately five (5) miles northeast of Sundance, in Crook County, Wyoming. The applicant estimates an annual production rate of 500,000 tons. A copy of the permit application and the agency's analysis is available for public inspection at the Crook County Clerk's Office, Sundance, Wyoming. In accordance with the Americans with Disabilities Act, special assistance or alternate formats will be made available upon request for individuals with disabilities.

Written comments may be directed to David A. Finley, Administrator, Division of Air Quality, Department of Environmental Quality, 122 W. 25th St., Cheyenne, Wyoming 82002. Please reference AP-9645 in your comment. Comments submitted by email will not be included in the public record. All comments received by 5:00 p.m., Monday, November 2, 2009 will be considered in the final determination on this application.

Publish: October 1, 2009

# **Affidavit of Publication**

STATE OF WYOMING

County of Crook

## I, Curt Moberg, Linda Moberg or Jeff Moberg

) ss.

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### **Owner or Representative**

of THE SUNDANCE TIMES/WYOMING PIONEER, a weekly newspaper published every Thursday at Sundance, Wyoming, do solemny swear that a copy of the notice per clipping is attached, was published weekly in the regular and entire issue of the said newspaper and not in any supplement therof for

consecutive weeks. commencing with

and ending with the issue dated

State of Wyoming

the issue dated

County of Crook

Signed and sworn to (or affirmed) before me on

CRARY COMMENT

Notary Public

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My commission expires:

AQD Croell DN 10-2803 000043