

Dan Ratigan, M.D.
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JUL 31 2006

Terri A. Lorenzon, Director
Environmental Quality Council

July 28, 2006

Western Wyoming Construction Co.
Stuart B. Sims
P.O. Box 490
Lander, WY 82520

Dear Stuart,

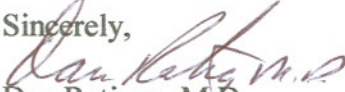
Thank you for your letter of July 25, 2006. I agree that if at all possible, we should attempt to work out a compromise suitable to both of us rather than involve additional time consuming hearings. As you stated I did suggest limiting hours, limiting weekend work and giving prior notice of operations.

Ultimately I feel the asphalt plant is a much greater threat to the health and safety of those of us exposed to the emissions, than the gravel pit and crusher operation. As a consequence, any compromise I would agree to, would have to significantly restrict the asphalt plant hours of operation and thereby also limit our exposure to the emissions.

In the interest of a give and take compromise I would be willing to accept the original hours of operation of the crusher and gravel pit of 5:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 5:00 p.m. on Sundays 36 weeks out of the year as described on the permit application. In exchange I would expect well defined and limited days of operation of the asphalt plant. Operating within the same hours as described above I would ask for you to restrict the asphalt plant operation to three weeks in May and three weeks in September.

These two three week periods would occur when the neighborhood children are still in school, limiting their exposure to the emissions. Also this would allow the neighbors and my family to enjoy the summer months of June, July and August without asphalt fumes. I would hope that the expanded hours of operation and the two three week periods would allow you to meet most, but probably not all of your production opportunities.

In addition, I remain hopeful that the Environmental Quality Council and The Department of Environmental Quality of the State of Wyoming will determine that asphalt plants in Wyoming need to be more closely regulated with the latest technology available retro-fitted to decrease carcinogen emissions. W.W.C.C. would of course be expected to comply with these new regulations, as you have stated in your letter.

Sincerely,

Dan Ratigan, M.D.

Cc: Sara Flitner - EQC
Jon E. Brady - EQC
John Burbridge - DEQ