



# 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

June 20, 2007

**FILED**

JUN 26 2007

Eleanor Urbigkit  
617 Peak Drive  
Riverton, WY 82501

Terri A. Lorenzon, Director  
Environmental Quality Council

**RE: 2M Construction Proposed Small Mine, TFN 4 6/333**

Dear Ms. Urbigkit:

You have been identified by the Environmental Quality Council as a "party" to the objection to the above small mine application. To be considered a "party" in the case you must have submitted a timely objection and participated in the pre-hearing conference conducted May 14<sup>th</sup>.

On June 18<sup>th</sup>, Dave Finley, Air Quality Division (AQD) Administrator, and I met with 2M Construction and members of the public to discuss the pending Land Quality Division (LQD) Small Mining permit and the pending Air Quality Division permit. This meeting was a continuation of the AQD meeting held Tuesday June 12<sup>th</sup>. In response to the public concerns discussed on the 12<sup>th</sup>, the operator has proposed a 450 foot buffer zone along the northern boundary of the proposed permit area. This area is shown on the attached map and no mining would occur in this area. This is in addition to the 300 foot buffer along the east permit boundary. Many of the other issues raised in the objections to the LQD mining permit relate to air quality concerns rather than to land quality. These are really tied to the AQD permitting process rather than the LQD permitting process.

In an effort to settle the LQD issues with out a formal hearing before the Wyoming Environmental Quality Council, the LQD is proposing placing a condition to the approval of the LQD mining permit that reads:

The operator may not conduct mining operations within the 450 foot buffer shown on the attached map (Map No. 2). Within 30 days approval of this permit, the operator shall submit the attached map to replace the existing Map No. 2 currently contained in the permit.

If the above permit condition, satisfies your concerns regarding the LQD mining permit and you do not desire a hearing before the Wyoming Environmental Council (EQC), you must contact the EQC in writing withdrawing you objection. Please do so by June 29, 2007. If you desire a hearing, there is nothing you need to do. The EQC's address is:

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

ADMIN/OUTREACH  
(307) 777-7758  
FAX 777-3610

ABANDONED MINES  
(307) 777-6145  
FAX 777-6462

AIR QUALITY  
(307) 777-7391  
FAX 777-5616

INDUSTRIAL SITING  
(307) 777-7368  
FAX 777-6937

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



RE: 2M Construction Proposed Small Mine, TFN 4 6/333  
Page 2

Wyoming Environmental Quality Council  
122 W. 25<sup>th</sup> Street  
Cheyenne, Wyoming 82002  
Email: jgirar@state.wy.us  
Fax no. 307-777-6134

You should note that if you elect to withdraw your objection to the LQD mining permit, you retain your full rights to review or appeal any final air quality permit which may ultimately be issued by the AQD for this mine. The AQD expects to finish its review of public comments received and to reach a permitting decision shortly after June 26, 2007, which is the close of the public comment period for the air quality permit. If you attended one of the air quality meetings held June 12 or June 18, or if you submitted a written comment on the air quality permit, you will receive notice of the AQD permit decision.

If you have any questions, please contact me.

Sincerely,

  
Richard A. Chancellor  
Administrator  
Land Quality Division

RAC/bb

Encl.

xc: 2M Construction w/encl  
EQC w/encl  
LQD District II w/encl  
AQD

**FILED**

**JUN 26 2007**

Terri A. Lorenzon, Director  
Environmental Quality Council

SCALE-1"=400'

T.1N.

NW1/4SW1/4

LOT 4

NE1/4SW1/4

PROPOSED SMALL MINE EXTENSION  
AREA=15.3 ACRES±

LOT 3

FREMONT SHEEP COMPANY, INC.  
DOCUMENT NO. 1220485

FREMONT SHEEP COMPANY, INC.

SE1/4NW1/4

FREMONT SHEEP COMPANY, INC.

NORTHWEST CORNER,  
NE1/4SW1/4, SECTION 33,  
N89°24'35"E, 208.78'

FREMONT SHEEP COMPANY, INC.

ROCKY MOUNTAIN  
POWER  
SUBSTATION

N00°00'00"E  
1369.90'

OVERHEAD ELECTRIC LINES

PARCEL NO. 9  
ACCESS ROAD

RIVERVIEW

ROAD

120.00'

127.00'

R & N INVESTMENTS, LLC  
DOCUMENT NO. 1272169

GARD ENTERPRISES  
DOCUMENT NO. 1201261

SW1/4NE1/4

NORTHWEST CORNER,  
NW1/4SE1/4, SECTION 33,  
T.1N., R.4E., W.R.M.

EAST MONROE AVENUE

MICHAEL F. GARD AND  
MELANY R. GARD  
BOOK 354, PAGE 36

REIN PARK ADDITION

RICHARD P. GARD & MICHAEL F. GARD  
BOOK 658, PAGE 237

NW1/4SE1/4

450'  
NO RIGHT TO MINE

PROPOSED SMALL MINE  
EXTENSION  
AREA=31.0 ACRES±

PRESENT  
GRAVEL PIT  
4.65 ACRES±

EXISTING  
2-TRACK  
ROAD

WIND  
RIVER

R.4E.

NORTHWEST CORNER,  
SW1/4NE1/4, SECTION 33,

60.00'  
VANDERVORT

30.00'

60.00'

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DRAIN DITCH

DRAIN DITCH

RIVERVIEW TERRACE  
SUBDIVISION

SOUTHEAST CORNER,  
NE1/4SE1/4, SECTION 33,

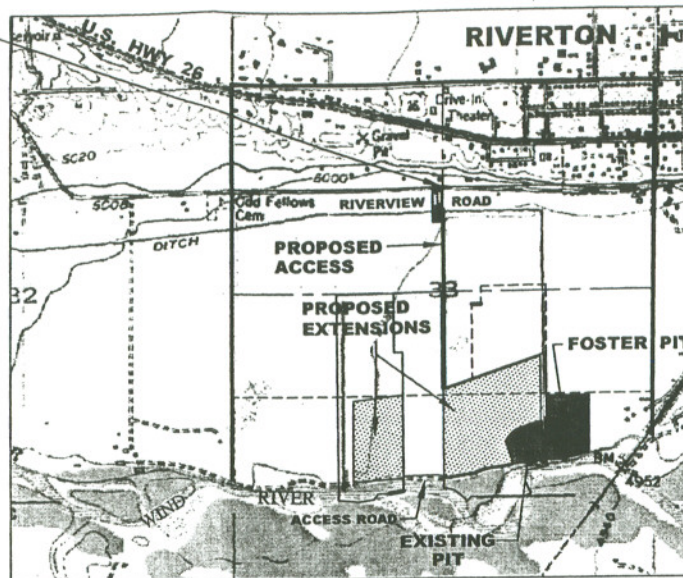
SOUTHWEST CORNER,  
NE1/4SE1/4, SECTION 33,

NE1/4SE1/4

LOT 1

PORTION OF  
EXISTING  
FOSTER  
CONSTRUCTION  
GRAVEL PIT  
PERMIT #1295 ET  
9.95 ACRES ±

T.1N.



(RIVERTON WEST QUADRANGLE)

VICINITY MAP

SCALE-1"=2000'



2M CONSTRUCTION, INC.

PROPOSED PERMIT BOUNDARY AND ACCESS ROAD

LOCATED WITHIN THE  
SE1/4NW1/4, SW1/4NE1/4, NW1/4SE1/4, NE1/4SW1/4, AND LOTS 1, 2 AND 3,  
SECTION 33, T.1N. R.4E. W.R.M.  
FREMONT COUNTY, WYOMING

REV. NO. 2

MAP No. 2

APEX SURVEYING, INC.  
ENGINEERING AND LAND SURVEYING  
407 West Adams Avenue, Box 1751  
Riverton, Wyoming 82501  
(307)856-1647

Job: 05489  
Bk: 196&GPS  
Pg: 26  
Drawn By: GLH