



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

FILED

June 20, 2007

JUN 26 2007

Maria Smith-Moore
1017 Piedmont Court
Riverton, WY 82501

Terri A. Lorenzon, Director
Environmental Quality Council

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

Dear Ms. Smith-Moore:

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 14th.

On June 18th, 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 12th. In response to the public concerns discussed on the 12th, 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



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Wyoming Environmental Quality Council
122 W. 25th 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

LOT 3

PROPOSED
SMALL MINE
EXTENSION
AREA=15.3 ACRES±

PARCEL NO. 9
ACCESS ROAD

ROCKY MOUNTAIN
POWER
SUBSTATION

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

FREMONT SHEEP COMPANY, INC.

SE1/4NW1/4

FREMONT SHEEP COMPANY, INC.
DOCUMENT NO. 1220485

RIVERVIEW
ROAD

60.00'

120.00'

127.00'

OVERHEAD ELECTRIC LINES

OVERHEAD ELECTRIC LINES

ROCKY MOUNTAIN
POWER
SUBSTATION

SW1/4NE1/4

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

GARD ENTERPRISES
DOCUMENT NO. 1201261

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

450'
NO RIGHT
TO MINE

PROPOSED
SMALL MINE
EXTENSION
AREA=31.0 ACRES±

PRESENT
GRAVEL PIT
4.65 ACRES±

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

WIND
RIVER

R.4E.

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

60.00'

30.00'

127.00'

30.00'

DRAIN DITCH

DRAIN DITCH

RIVERVIEW TERRACE
SUBDIVISION

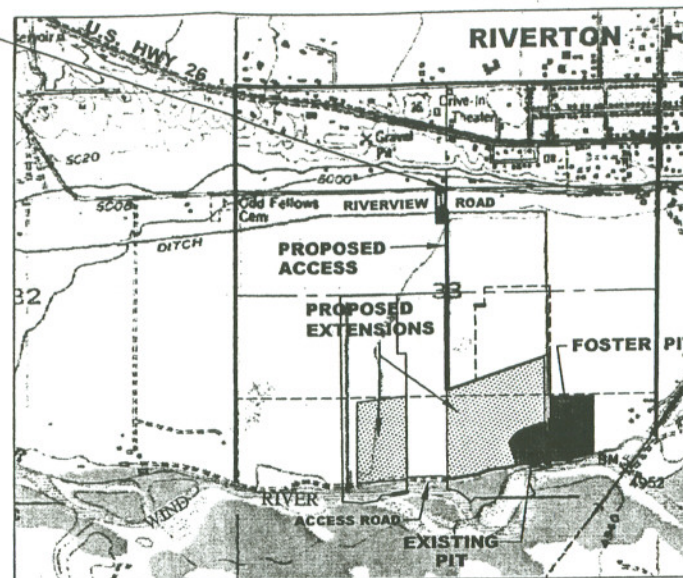
SOUTHEAST CORNER,
NE1/4SE1/4, SECTION 33,

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

NE1/4SE1/4

LOT 1

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