

**FILED**

JUN 29 2007

Terri A. Lorenzon, Director  
Environmental Quality Council

**BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING**

**IN THE MATTER OF THE OBJECTION )  
TO THE SMALL MINE PERMIT OF ) DOCKET NO. 07-4803  
ARROWHEAD CONCRETE, INC., TFN 4 2/343 )**

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**PRE-HEARING DISCLOSURES**

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The Department of Environmental Quality, Land Quality Division (Division), through the Office of the Attorney General, pursuant to the Environmental Quality Council's (Council) Notice of Hearing and Order, hereby submits its Pre-Hearing Disclosures.

**SUMMATION OF THE FACTS**

Arrowhead Concrete, Inc. (Arrowhead) filed its small mine application with the Division, small mine permit application number TFN 4 2/343. After proper notification that Arrowhead's application was complete, interested parties timely filed objections to the permit with the Division. The objections generally identify nuisance issues such as dust and truck traffic on County Road 7. The Division has determined that the application is complete, in full compliance with Wyoming Law and is ready to issue the permit.

**LEGAL ISSUE**

Is Arrowhead's permit application complete and should the DEQ issue Arrowhead a permit to mine pursuant to WYO. STAT. ANN. § 35-11-406?

**WITNESSES**

WILL CALL:

Melissa Bautz  
Scientist II  
Department of Environmental Quality  
Lander Field Office  
Land Quality Division  
510 Meadowview Drive  
Lander, Wyoming 82520  
307-332-3047

Ms. Bautz is in charge of the oversight and review of Arrowhead's permit application, TFN 4 2/343. She is expected to testify regarding all matters contained within the permit including nuisance concerns. In addition, Ms. Bautz will testify regarding general permit application requirements and whether Arrowhead's permit application is in compliance with the requirements of Wyoming law.

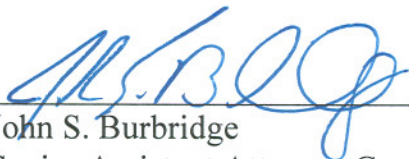
MAY CALL:

The Division may call any witness listed by the objectors in the above-captioned matter. In addition, the Division may call any witness needed for rebuttal testimony.

**EXHIBITS**

State's Exhibit 1: Arrowhead's permit application.

DATED this 29<sup>th</sup> day of June , 2007.

  
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John S. Burbridge  
Senior Assistant Attorney General  
123 Capitol Building  
Cheyenne, Wyoming 82001  
307-777-7823

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the Pre-Hearing Disclosures was served by placing the same in the United States mail, postage prepaid, this 29<sup>th</sup> day of June, 2007, to the following:

Barry & Glenda Toone  
9 Gaensslen Ranch  
Green River, WY 82935

John & Virginia Fuller  
16 Gaensslen Drive  
Green River, WY 82935

John & Linda Seiller  
12 Gaensslen Ranch  
Green River, WY 82935

Dave & Sandra Pagiano  
8 Gaensslen Drive  
Green River, WY 82935

Cora & Bill Croy  
4 Gaensslen Drive  
Green River, WY 82935

Doug & Shelly Vanderpool  
1 Gaensslen Drive  
Green River, WY 82935

Andy & Gale Pleasant  
72 Firehole Basin Drive  
Green River, WY 82935

Mark Pleasant  
86 Firehole Basin Drive  
Green River, WY 82935

Ann & Dick Hodges  
Blue Rim Road, 4 miles north  
Green River, WY 82935

Jerry Cover  
Arrowhead Concrete, Inc.  
P.O. Box 238  
Green River, WY 82935



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Wyoming Attorney General's Office