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Terri A. Lorenzon, Director
Environmental Quality Council

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17 October 2007
Brian R. Waitkus
80 Eagle Nest Lane
Laramie , WY 82070

I am objecting to the approval of the Mountain Cement Company permit application 298c-A7 for mine permit 298c.

First off I would like to apologize for any incorrect page or section numbers associated with the name of the section, appendix, etc. sent with my objection.

After reviewing the DEQ rules and statutes I am withdrawing points numbered eight and eleven from my objection. In addition, I have since learned from Land Quality DEQ that the reclamation of user created mine roads originating from the drilling and exploration for area "C" are covered in the Land Quality DEQ "Guidelines" by the bonding of this action. This reclamation action concerning roads is only a guideline, and not a regulation, rule, or statute. I would like the Environmental Quality Council to address this issue at a later time. As no regulations cover the reclamation of these roads I withdraw my objection point 20.

As stated above I am objecting to the permitting of the amendment application for the following reasons:

Wyoming Environmental Quality Act 2006 ed

§ 35-11-402 (a)(i)

§ 35-11-402 (a) (vi)

§ 35-11-406 (m) (i)

§ 35-11-406 (m) (v)

§ 35-11-406 (m) (vii)

Wyoming DEQ, Land Quality Division Non-coal mine rules and regulations
Chapter 2 Section 1 (b)

Wyoming DEQ, Water Quality Division Water quality rules and regulations
Chapter 4 Regulations For release of oil and hazardous substances into waters of the State of Wyoming

LIST OF EXHIBITS

Exhibit #	Description
1	Mountain Cement Mine permit application 298c-A7 page DVIII6-2/3 Section DVIII -6-2.2 Aquifer Properties.
2	Series of five (5) photographs.
3	Mountain Cement Mine permit application 298c-A7 page DVIII5-3 Section DVIII -5.3 Geology.
4	Alan Ver Ploeg Professional geologist letter.
5	Mountain Cement Mine permit application 298c-A7 page DVIII6-6 Section DVIII-6.2.4 Ground Water Summary.
6	Mountain Cement Mine permit application 298c-A7 page DVIII4-1 Appendix DVIII-4 Climatology.
7	Mountain Cement Mine permit application 298c-A7 page DVII4-2 Section DVII -4.1 Temperature.
8	One Photograph.
9	Mountain Cement Mine permit application 298c-A7 page MPVIII4B Section MPVIII-3.8 Equipment and Refueling Areas.
10	Reference regarding pollution.
11	Reference regarding pollution.
12	Reference regarding pollution.
13	Mountain Cement Mine permit application 298c-A7 page MPVIII9 Section MPVIII-4.8.1 Surface Water Control.
14	DEQ Notice of Violation Docket No. 3870-06.
15	Mountain Cement Mine permit application 298c-A7 page MPVIII6 Section MPVIII-4.4.3 Blasting.
16	Mountain Cement Mine permit application 298c-A7 page MPVIII7 Section MPVIII-4.4.6
17	Air Quality DEQ Permit application AP-6419.
18	Editorial discussing violations recent DEQ violations by Mountain Cement Company December 2006.
19	Department of Environmental Quality, Division of Land Quality Table listing Mountain Cement NOV in the last seven years.
20	Mountain Cement Mine permit application 298c-A7 page RVIII11 Section RPVIII-6.0 Reclamation Schedule.
21	Mountain Cement Mine permit application 298c-A7 page MPVIII14 Section MPVIII-4.10 Archaeological and Paleontological Resources.

- 22 Mountain Cement Mine permit application 298c-A7 page MPV88A1 Cover Page Storm water Pollution.
- 23 Mountain Cement Mine permit application 298c-A7 page DV886-M3 Hydrology Map.
- 24 Mountain Cement Mine permit application 298c-A7 page DV886-1 Section DV886-1 Introduction.
- 25 Mountain Cement Mine permit application 298c-A7 page DV886-7 Section DV886-6.3.3 Surface Water Quality.
- 26 Mountain Cement Mine permit application 298c-A7 RPV88-2 Channel Geometry Map.
- 27 Mountain Cement Mine permit application 298c-A7 page RPV881 Section RPV88-2.0.
- 28 Mountain Cement Mine permit application 298c-A7 page RPV885 Table RPV88-1
- 29 Stipulated agreement to resolve objections.

Anne Knyronsk-Waitkus for Brian Waitkus

Certificate of Service

I, Brian Waitkus, certify that at Cheyenne, Wyoming, on the 18th of October, 2007, I served a copy of the foregoing Memorandum depositing copies of the same by a fax addressed to:

Steve Cooley
Mountain Cement Co.
5 Sand Creek Rd.
Laramie, WY 82070
Fax: 307-742-4534

Mitchell H. Edwards
Anthony, Nicholas & Tangeman, LLC
170 North Fifth Street
Laramie, WY 82070-0928
Fax: 307-742-7160

Also to the following persons via interoffice mail:

John Burbridge
Office of Attorney General
123 State Capitol
Cheyenne, WY 82002

Anna Kymorala Waitkus for Brian Waitkus