

## **Brosius, Becky**

---

**From:** McKenzie, Don  
**Sent:** Monday, August 31, 2009 8:25 AM  
**To:** Spackman, Lowell; Hogg, Bill  
**Cc:** Brosius, Becky  
**Subject:** RE: LaFarge/Talbott, Permit 752 - TFN 5 1/96

It appears Mr. Robertson had an expectation we would contact him directly when P/N began, so yes this looks like an objection we would have to honor. Did he receive a letter directly from the company or is this not required?

However, with that said we have to log the objection with the EQC as a request for a hearing. In the meantime we and the company need to resolve this with Mr. Robertson to avoid a hearing within the next 20 days.

Please get with Becky so she can start the receipt letter from me and copy the EQC. Becky will need the affidavit of P/N as well. In the future we need to follow the P/N and an objector has to contact me to start the hearing process.

-----Original Message-----

**From:** Spackman, Lowell  
**Sent:** Monday, August 31, 2009 7:22 AM  
**To:** Hogg, Bill  
**Cc:** McKenzie, Don  
**Subject:** FW: LaFarge/Talbott, Permit 752 - TFN 5 1/96

Bill: Below is an email message from Dr. Robertson, the neighbor to the Talbott pit revision for which the public comment period ended this weekend. Can you answer Dr. Robertson's concerns about the building pad? We should address his question before the approval of this revision.

Don: Should we treat this as an objection or work with Dr. Robertson to address his question?

Thanks,

Lowell

-----Original Message-----

**From:** Kenneth Robertson [mailto:krobertsoninwyo@pol.net]  
**Sent:** Saturday, August 29, 2009 11:31 PM  
**To:** Spackman, Lowell  
**Subject:** Re: LaFarge/Talbott, Permit 752 - TFN 5 1/96

Lowell,

In fact, did not see the notice in the Boomerang. You had previously indicated you would let me know when the public comment period would begin since at the time of our last communication, the decision had not been made as to when the comment period would occur. It appears to me from your previous emails/letters that the process of revision/renewal of the permit is pretty well automatic and can be done at any time in the future with no limitations as to time frame.

I do have some questions that I would like answered. What is the "building pad" in the southwest corner of the project? What resides there (equipment, buildings or what)? If there are to be any buildings, pads or storage in this corner (which is already a significant wetland for a good part of the spring, all summer and sometimes early fall), then those items will directly interfere with the surface flow of water to the southeast and east causing the

southeast portion of my property to potentially be underwater. As I said, I don't know what the pad includes but it potentially causes significant problems for my property. I would like these concerns addressed to my satisfaction prior to final approval of the revised permit and will look forward to hearing from you directly by letter, email or phone call at(307-760-1000).

Thank you.  
Ken Robertson

----- Original Message -----

From: "Lowell Spackman" <lspack@wyo.gov>  
To: "Kenneth Robertson" <krobertsoninwyo@pol.net>  
Cc: "Bill Hogg" <bhogg@wyo.gov>  
Sent: Monday, August 24, 2009 1:08:51 PM GMT -07:00 US/Canada Mountain  
Subject: RE: LaFarge/Talbott, Permit 752 - TFN 5 1/96

Dr. Robertson:

Did you see the Public Notice in the Boomerang for the revision to the LaFarge Talbott Pit permit? The last day of the notice was July 31,2009. Therefore, the thirty day Public Comment period ends August 30, 2009.

Lowell K. Spackman  
District I Supervisor  
WDEQ/Land Quality Division  
Herschler Building, 3-W  
122 West 25th Street  
Cheyenne, WY 82002  
(307)-777-7052  
lspack@wyo.gov

-----  
E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.  
-----

-----Original Message-----

From: Kenneth Robertson [mailto:krobertsoninwyo@pol.net]  
Sent: Tuesday, June 09, 2009 9:37 AM  
To: Spackman, Lowell  
Subject: Re: LaFarge/Talbott, Permit 752 - TFN 5 1/96

Lowell,  
Thank you very much for the information.  
Ken Robertson

----- Original Message -----

From: "Lowell Spackman" <lspack@wyo.gov>  
To: "Kenneth Robertson" <krobertsoninwyo@pol.net>  
Cc: "Bill Hogg" <bhogg@wyo.gov>  
Sent: Monday, June 8, 2009 11:37:14 AM GMT -07:00 US/Canada Mountain  
Subject: RE: LaFarge/Talbott, Permit 752 - TFN 5 1/96

Dr. Robertson:

The original Public Notice stated that the mining operation would occur from 2006 to 2035. The approved permit has a life-of-mine of twenty years, with no specified starting or ending date.

The recently submitted revision application proposes the mining be initiated no later than 2014 with the operation continuing through 2034 including reclamation. Therefore, the life-of-mine is still 20 years.

Lowell K. Spackman  
District I Supervisor  
WDEQ/Land Quality Division  
Herschler Building, 3-W  
122 West 25th Street  
Cheyenne, WY 82002  
(307)-777-7052  
lspack@wyo.gov

-----  
E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.  
-----

-----Original Message-----

From: Kenneth Robertson [mailto:krobertsoninwyo@pol.net]  
Sent: Monday, June 01, 2009 3:03 PM  
To: Spackman, Lowell  
Subject: Re: LaFarge/Talbott, Permit 752

Lowell,

Thank you for the information. Only one question until we receive the revised plan... since everything seems to start from the time of the original issuance of the mining permit (2006), does the revised permit allow the 20 years of mining operation to start from the new 2014 date or are we still 20 years from the 2006 date?

Ken Robertson

----- Original Message -----

From: "Lowell Spackman" <lspack@wyo.gov>  
To: "Kenneth Robertson" <krobertsoninwyo@pol.net>  
Cc: bhogg@wyo.gov  
Sent: Monday, June 1, 2009 9:21:19 AM GMT -07:00 US/Canada Mountain  
Subject: RE: LaFarge/Talbott, Permit 752

Dr. Robertson:

Attached is a letter responding to your questions from May 16, 2009. The letter will be mailed to you today. The revision will likely go to Public Notice in the next couple of weeks.

Lowell K. Spackman  
District I Supervisor  
WDEQ/Land Quality Division  
Herschler Building, 3-W  
122 West 25th Street  
Cheyenne, WY 82002  
(307)-777-7052  
lspack@wyo.gov

-----  
E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.  
-----

-----Original Message-----

From: Kenneth Robertson [mailto:krobertsoninwyo@pol.net]  
Sent: Saturday, May 23, 2009 10:56 AM  
To: Spackman, Lowell  
Subject: Re: LaFarge/Talbott, Permit 752

Lowell,  
Thanks for your heads up. With your other pressing matters, no hurry at this point.  
Ken Robertson

---

----- Original Message -----

From: "Lowell Spackman" <lspack@wyo.gov>  
To: "Kenneth Robertson" <krobertsoninwyo@pol.net>  
Sent: Thursday, May 21, 2009 8:26:19 PM GMT -07:00 US/Canada Mountain  
Subject: RE: LaFarge/Talbott, Permit 752

Dr. Robertson:

I've been out in the field and in training this week and haven't had time to respond to your questions. I sent a letter to Mason Skiles last week that discussed some of these items, but not all. I'll take a look at these more closely next week. I have a couple assignments that are pressing with due dates next week. After I finish those I'll respond to your questions. Thank you for the questions and I'll try to get back to you as soon as I can.

Lowell Spackman

---

From: Kenneth Robertson [mailto:krobertsoninwyo@pol.net]  
Sent: Sat 5/16/2009 11:48 AM  
To: Spackman, Lowell  
Subject: Re: LaFarge/Talbott, Permit 752

Mr. Spackman,

Thanks for the notice regarding the LaFarge project. I have several questions and comments which I would like answered or responded to:

- 1) When did you receive the request for revision of the project until 2014?
- 2) Given the fact that the project was not started on time (2006) nor was it started by the time of your generous extension ( May 9,2009), I feel the entire project application as well as all impacts to water, air, etc. should be resubmitted to your office in a time frame to match the project revision, not 5 years ahead of time. My agreements with LaFarge, although not directly involving the state, do impact my decisions about the project and I am not at all clear the previous agreements will carry forth with a revised project.
- 3) There seems to be evolving here an open ended project which seems a bit unfair given the time frames involved. Again, what was approved in 2006 certainly can change over 3 years and hence the need for an entire reevaluation. AS well, I do not care to have an open ended project hanging over my head for decades to come.
- 4) Since the impacts of this mining operation particularly on the water levels was not thoroughly tested in the first place, the decision to postpone the mining activity give us the opportunity to do get the details right.

These are just a few of my comments and questions. I would ask you and the other departments to evaluate the entire project revision, not just the extension in light of this much time going by and past failure to proceed with the project in a timely fashion.

Thanks for your time and energy.  
Ken Robertson

---

----- Original Message -----

From: "Lowell Spackman" <lspack@wyo.gov>  
To: krobertsoninwyo@pol.net

Cc: "Bill Hogg" <bhogg@wyo.gov>

Sent: Tuesday, May 12, 2009 11:16:43 AM GMT -07:00 US/Canada Mountain

Subject: RE: LaFarge/Talbott, Permit 752

Dr. Robertson:

For your information, LaFarge has submitted a revision to their permit to change the start of mining to the year 2014. Because the previous Public Notice stated that mining would be initiated in 2006, the Land Quality Division is requiring this change to go to Public Notice. The revision is still in review by our staff but could be going to Public Notice in the next few weeks. Following the four week Public Notice period, the 30-day public comment period will begin at which time the public will have the opportunity to submit objections as stated in Wyoming Statutes (W.S.) § 35-11-406(k).

Lowell K. Spackman  
District I Supervisor  
WDEQ/Land Quality Division  
Herschler Building, 3-W  
122 West 25th Street  
Cheyenne, WY 82002  
(307)-777-7052  
lspack@wyo.gov

-----  
E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.  
-----