



THE STATE OF WYOMING
ENVIRONMENTAL QUALITY COUNCIL

August 25, 2010

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Paralegal/IT

122 W. 25th, Herschler
Bldg., Rm. 1714,
Cheyenne, WY 82002
(307) 777-7170
FAX: (307) 777-6134
<http://deq.state.wy.us/eqc>

Timothy J. Bommer
Attorney at Law
P.O. Box 5186
Etna, WY 83118

CERTIFIED MAIL #70020460000298281322
RETURN RECEIPT REQUESTED

RE: Evans Construction Company, TFN 5 6/149, EQC Docket No. 10-4802

Dear Dr. Bommer:

The Department of Environmental Quality (DEQ) has forwarded your objection to the application of Evans Construction Company, Docket No. 10-4802, for a mining permit to the Environmental Quality Council (the Council). As provided for in the Environmental Quality Act, the Council will set a time and place for a hearing on your objection. This hearing will be conducted pursuant to the provisions of the Environmental Quality Act, the Administrative Procedures Act, and the DEQ Rules of Practice and Procedure. The hearing will be conducted as a contested case, and all witnesses will be sworn, direct and cross examination will be the means of eliciting testimony, and all documents must be introduced as exhibits. You are not required to have an attorney represent you in this proceeding, although you may choose to have an attorney present your case. The DEQ will be represented by a member of the Attorney General's staff, John Burbridge, and Evans Construction Company may have counsel present.

The law requires the council to hold a hearing on your objection within 20 days of the last day for filing objections, and this hearing must be held by September 13, 2010. The Council has scheduled your hearing on Friday, September 10, 2010 in order to meet the requirements of the statute. No continuances shall be granted unless a motion showing good cause for the continuance is filed with the EQC and the Hearing Examiner finds that good cause has been shown.

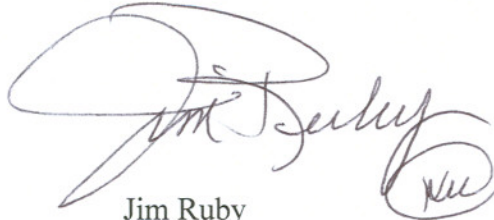
A record of the hearing will be made by a court reporter and the decision on the permit application is appealable to a district court. Should you determine that you do

not want a hearing on your objection, please notify me in writing of your decision.

If a hearing regarding your objection is not held, your comment will remain a matter of record in the DEQ files, and the director of DEQ will consider the comment when he makes a decision on issuance of the Evans Construction Company.

Please do not hesitate to call if you have questions concerning Council procedures.

Sincerely,
ENVIRONMENTAL QUALITY COUNCIL

A handwritten signature in cursive script, appearing to read "Jim Ruby". The signature is written in dark ink and is positioned above the printed name and title.

Jim Ruby
Executive Secretary

JR/kw

cc: John Burbridge - AG
Don McKenzie - DEQ/LQD
Evans Construction Company
Mark Moxley, District 2