

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED
NOV 29 2011

Jim Ruby, Executive Secretary
Environmental Quality Council

In the Matter of the Appeal and Petition for)
Review of: The Notice of Violation issued to)
Thunder Basin Coal Company for Operation)
At its Coal Creek Mine)

Docket No. 11-4601

ORDER

A short pre-hearing conference will be held in this matter to discuss time frame for discovery, possible hearing dates and time needed for the Parties to present their case. The conference will be conducted on Wednesday, December 14, 2011 at 10:00 a.m. via telephone conference call. The Parties should provide the EQC office with a direct telephone number and an email address where they can be reached for the pre-hearing on or before December 8, 2011. Failure to appear at the pre-hearing conference may result in dismissal from this case.

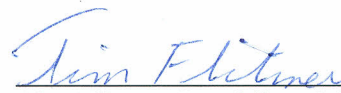
In accordance with the DEQ Rules of Practice and Procedure, Chapter 1, Section 6, "Unless otherwise agreed to by the parties and consented to by the Council, all hearings, including all testimony, shall be reported verbatim by a competent reporter. The compensation of such reporter shall be paid as required by law and as ordered by the Council. The Council may direct any party or parties to assume the cost of the transcript." If the Parties do not file a waiver to this section, the DEQ should pay the costs of the transcript.

The Presiding Officer having reviewed the record and being fully advised in the premises,

IT IS HEREBY ORDERED

1. The Parties shall appear for a short pre-hearing conference in this matter that will be conducted on Wednesday, December 14, 2011 at 10:00 a.m. via telephone conference call. The Parties should provide the EQC office with a direct telephone number and an email address where they can be reached for the pre-hearing on or before December 8, 2011. Failure to appear at the pre-hearing conference will result in dismissal from this case.
2. If the Parties have not filed a waiver on or before December 8, 2011 a court reporter will transcribe the hearing.
3. The DEQ shall assume the cost of the transcript and court reporter.

DATED this 29th day of November, 2011.



Tim Flitner, Presiding Officer
Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 30th day of November, 2011, I served a copy of the foregoing **ORDER** by electronic mail to the following:

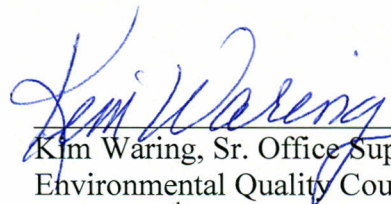
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