

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

**FILED**

**NOV 30 2011**

Jim Ruby, Executive Secretary  
Environmental Quality Council

**IN THE MATTER OF THE OBJECTION            )**  
**TO THE SMALL MINE PERMIT OF            )**            **Docket No. 11-4804**  
**GECR, LLC. TFN 5 4/191                    )**

**ORDER**


1. A prehearing conference in this matter was held on Wednesday, November 30, 2011 at 9:00 a.m. via telephone conference call. Presiding was Councilman Tom Coverdale. The hearing was transcribed by a court reporter. Present on behalf of the Objectors was Andrew and Joanne Matz. Present on behalf of the Department of Environmental Quality (DEQ) was Assistant Attorney General Luke Esch. Present on behalf of the permit applicant, GECR, LLC. (GECR) was John Bowers. Also present for the Council was Senior Assistant Attorney General John Knepper and Jim Ruby, Exec. Secretary of the Council and Joe Girardin, paralegal for the Council.
2. The final hearing will begin on December 12, 2011 at 9:00 a.m. The final hearing will be held at the 3200 Elk St. Conference Room 169, Department of Transportation, Rock Springs, WY.
3. The Objectors shall file a clarification of the issues to be heard at the final hearing by 5:00 p.m. December 1, 2011.
4. All designation of expert witnesses and discovery, both written and oral shall be completed by 12:00 noon on or before December 7, 2011.
5. The Parties shall exchange witness lists and exhibit lists by December 7, 2011 at 12:00 noon Mountain Time. The witness lists shall include identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony. DEQ shall identify their exhibits as "DEQ 1, 2, 3" etc. GECR shall identify their exhibits as "GECR 1, 2, 3" etc. Objectors shall identify their exhibits as "Matz 1, 2, 3" etc.
6. A prehearing conference in this matter will be conducted on Thursday, December 8, 2011 at 4:00 p.m. via telephone conference call. The parties shall inform the EQC office of a direct telephone number and if possible an email address where they can be reached for the prehearing on or before 4:00 p.m. December 6, 2011. Failure to appear at the prehearing conference may result in dismissal from this case.
7. The purpose of the prehearing conference is:
  - a. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony;

- b. Clarification of the legal issues, both substantive and procedural, of all the parties, including identification of the statutory provisions and regulations that form the basis of the appeal;
- c. Stipulation to uncontested facts;
- d. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony; and

**IT IS HEREBY ORDERED THAT:**

- 1. All Parties shall appear for a prehearing conference in this matter on Thursday, December 8, 2011 at 4:00 p.m. via telephone conference call. Failure to appear at the prehearing conference may result in dismissal from this case.
- 2. All parties shall appear at 9:00 a.m. on December 12, 2011 for final hearing in this matter. Failure to appear at the hearing may result in dismissal from this case.
- 3. A court reporter will transcribe the hearing.

**DATED** this 30<sup>th</sup> day of November, 2011.

  
Tom Coverdale, Presiding Officer  
Environmental Quality Council

## CERTIFICATE OF SERVICE

I, Joe Girardin, certify that at Cheyenne, Wyoming, on the 30<sup>th</sup> day of November, 2011, I served a copy of the foregoing **ORDER** by electronic mail to the following:

John Corra  
Director, DEQ  
[john.corra@wyo.gov](mailto:john.corra@wyo.gov)

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