ESPN.com - Kelly 'didn't sense' any difference in Te'o - 1 hour ago

decline EQC hearing

Inbox x

Reese Johnson <reesej@carbonpower.net> 12:24 PM (43 minutes ago)

Mr. Ruby and Mr. Esch,

This email is in response to your phone calls related to the comments we submitted to Land Quality Division regarding Arch of Wyoming (TFN 5 6/090). We do not wish to pursue a hearing with EQC but we definitely wish for those comments to be given appropriate consideration by DEQ. If LQD can take the position after reading those comments that a CTL/refinery project located on the same permitted land as the coal mine, and having shared ownership, is of no consequence and does not need to be addressed in permits and amendments, then we will be deeply disappointed.

When DEQ and various other agencies and officials continue to interpret statute and regulations as excluding these combined projects from a cumulative review, we hope that you can appreciate how frustrating that is for those of us who could be impacted the most. If Wyoming's regulatory framework continues to assert that such analysis and questioning are outside of their scope or authority, then it's little wonder that residents, such as those in the Pavilion area, have to make appeals to federal agencies.

We think that all of this becomes even more significant when you consider that a state-controlled Chinese company will be engineering, building, and quite likely, financing and securing an equity position in the proposed venture. Just one small change, among many, from what was reported to the public in the early days of DKRW. Please reference E-1 the Project Fact Sheet from the ISC application which reads: "MBFP will contract with SNC-Lavalin, an experienced and credit-worthy construction contractor, to construct, commission and test the CTL facility." This significant change of plans leaves one wondering what other surprises DKRW has ready to reveal in the future and whether the regulatory agencies will continue to shrug it all off as inconsequential.

With our most recent comments to LQD all we are asking for is that careful review be given to the activities that Arch and DKRW have commenced in a joint project on the same land. It would be unfortunate if DEQ dismisses this as being outside of their realm of responsibility simply because private citizens did not choose to hire an attorney and move into legal proceedings.

We sincerely appreciate the opportunity to comment and for now, hold some hope that you may see that our concerns merit further study and consideration.

Reese and John Johnson
PO Box 28
Elk Mountain, WY 82324

FILED

JAN 2 9 2013

Jim Ruby, Executive Secretary
Environmental Quality Council