



Tyffanne Rowan <tyffanne.rowan@wyo.gov>

RE: EQC Docket 13-4804 (Linc Energy): Briefing Order

1 message

Shannon Anderson <sanderson@powderriverbasin.org>

Wed, Oct 30, 2013 at 2:15 PM

Reply-To: sanderson@powderriverbasin.org

To: Tyffanne Rowan <tyffanne.rowan@wyo.gov>, jeremiah williamson <jeremiah.williamson@wyo.gov>, bsalzburg@crowell.com, Nancy Nuttbrock <nancy.nuttbrock@wyo.gov>, Todd Parfitt <todd.parfitt@wyo.gov>

Cc: Jim Ruby <jim.ruby@wyo.gov>, Joe Girardin <joe.girardin@wyo.gov>

Dear all, I just wanted to clarify that for our part, we do not agree to following statement included in the Order:

Each of the parties argued that the action taken by the Water Quality Division of the DEQ regarding the aquifer exemption is a final action appealable to the Council.

I think this statement was made solely by Mr. Williamson, although Mr. Salzburg agreed with it. We disagree with it because as to our knowledge, the Water Quality Division has not yet taken any action, let alone a final agency action. It is our understanding that the final agency action for state purposes would be a decision by the EQC approving or denying the draft mining permit and corresponding proposed aquifer exemption.

Also, perhaps minor semantics here, but we are not appealing an action of DEQ. We are objecting to a draft aquifer exemption (under the authority to object to a mining permit application under 35-11-406(k)).

I suppose all of these issues can be discussed in our brief and at the beginning of the hearing, but I wanted to clarify our position in case it was misunderstood on Monday.

Thank you,

Shannon

FILED

OCT 30 2013

Shannon Anderson

Powder River Basin Resource Council

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Jim Ruby, Executive Secretary
Environmental Quality Council

From: Tyffanne Rowan [mailto:tyffanne.rowan@wyo.gov]

Sent: Tuesday, October 29, 2013 10:36 AM

To: jeremiah williamson; bsalzburg@crowell.com; Nancy Nuttbrock; Todd Parfitt; Shannon Anderson

Cc: Jim Ruby; Joe Girardin

Subject: EQC Docket 13-4804 (Linc Energy): Briefing Order

Please see the attached Briefing Order for EQC Docket 13-4804.

Please let me know if you have any questions.

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Warmest Regards,

Tyffanne Rowan

Office Assistant

State of Wyoming

Environmental Quality Council

307-777-7170

<http://deq.state.wy.us/eqc/>

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