

**FILED**

**SEP 17 2009**

*Jim Ruby, Executive Secretary  
Environmental Quality Council*

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

**IN THE MATTER OF THE NOTICE OF )  
VIOLATION ISSUED TO: )  
Shane R. Taylor )  
Property Owner )  
Former VP&S Equipment )  
413 Laurel Court )  
Gillette, WY 82718 )**

**DOCKET NO. 09-5212A**

**SCHEDULING ORDER**

ON THE 16TH DAY OF SEPTEMBER, 2009 at 2:05 p.m. the above entitled matters came on for scheduling conference before the Presiding Officer for the Council, Tom Coverdale. Present was Shane Taylor, for the Petitioner; Luke Esch, Asst. Attorney General on behalf of the Department of Environmental Quality . Also present for the conference were James Ruby, Exec. Secretary for the Council, and Joe Girardin the Council's paralegal.

Discussion was held by the parties and the Presiding Officer and the following was agreed to by the Parties and is hereby made the Order of the Council:

1. All written and oral discovery shall be completed by November 12, 2009.
2. A prehearing conference shall be held, if necessary, on November 12, 2009.
  - a. The purpose of the prehearing conference is:
    - i. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony;
    - ii. 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;
    - iii. Stipulation to uncontested facts;
    - iv. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony; and
    - v. Pending motions.
3. Final Hearing on the matter shall be held on November 18<sup>th</sup> or 19th, 2009. The hearing shall be held in Cheyenne Wyoming.
4. All filings shall be made no later than 12:00 p.m. on the date set forth in this Order.

**SO ORDERED this 17<sup>th</sup> Day of September, 2009.**

  
 Tom Coverdale, Presiding Officer  
 Environmental Quality Council

## CERTIFICATE OF SERVICE


I, Kim Waring, certify that at Cheyenne, Wyoming, on the 17<sup>th</sup> day of September, 2009, I served a copy of the foregoing SCHEDULING ORDER by electronic mail to the following:

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

Luke Esch  
Asst. Attorney General  
[lesch@state.wy.us](mailto:lesch@state.wy.us)

also by depositing the same in the United States mail addressed to:

Shane R. Taylor  
Property Owner  
Former VP&S Equipment  
1415 Holloway  
Sheridan, WY 82801

  
Kim Waring, Sen. Supp. Spec.  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Bldg.  
Cheyenne, WY 82002  
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