

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

FILED

JUN 17 2011
JZ

Jim Ruby, Executive Secretary
Environmental Quality Council

In the Matter of the Notice)
Of Violation and Order Issued To:)
)
Envirotank, Inc. (51.031))
P.O. Box 302)
Ft. Lupton, CO 80621)

DOCKET NO. 11-5208A


ORDER GRANTING INTERVENTION

1. The Environmental Quality Council has received a Motion to Intervene from Sandra Kay Lange, Mildred Ray Broyles and Peggy A. Sullivan, hereinafter referred to as "Movant," by and through their counsel, Heather A. Jacobson, of Jacobson Law Office, LLC,
2. Pursuant to Chapter 2, Section 7, of the Rules of Practice and Procedure for the Environmental Quality Council, an interested party may intervene in a proceeding if the petition to intervene sets forth the grounds of the proposed intervention and the position and the interest of the petitioner in the proceeding.
3. Movants are the landowners of the real property upon which the Petitioner is alleged to have placed the tires, partial tires, and scraps which are the subject of the Notice of Violation and Order issued by the Department.
4. The petitioner has alleged that the Movant gave permission to Envirotank for their activities on the property and that Movant should bear at least partial responsibility for the violation.
5. Movants have reasonable concerns that their interests will not be sufficiently represented, or be in alignment with the Department of Environmental Quality's interests.
6. Neither the petitioner nor the respondent will be unduly burdened by allowing the intervention by the movants.
7. The petitioner and the respondent have spoke to EQC staff and have indicated they do not object to the motion to intervene.

IT IS HEREBY ORDERED that Sandra Kay Lange, Mildred Ray Broyles and Peggy A. Sullivan are hereby granted leave to intervene.

The intervenor's have 15 days from receipt of this Order to file a responsive pleading to the petitioner's appeal and the respondent's answer.

DATED this 17th day of June, 2011.


Dennis M. Boal, Presiding Officer
Environmental Quality Council
122 W. 25th, Rm.1714
Herschler Bldg.,
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134

CERTIFICATE OF SERVICE

I, Joe F. Girardin, certify that at Cheyenne, Wyoming, on the 17TH day of June, 2011, I served a copy of the foregoing ORDER GRANTING INTERVENTION by electronic mail to the following:

John Corra
Director, DEQ
john.corra@wyo.gov

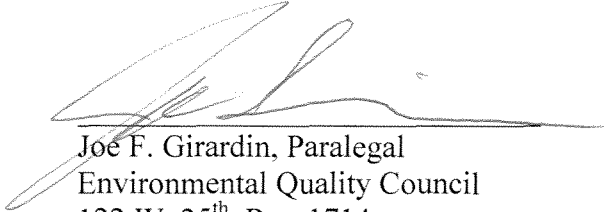
Carl Anderson, Administrator
DEQ Solid/Hazardous Waste Division
carl.anderson@wyo.gov

Mary Throne
Throne Law Office
mthrone@thronelaw.com

Asst. Attorney General
Mike Barrash
mbarra@state.wy.us

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

Heather A. Jacobson
Jacobson Law Office, LLC
1839 Madora Ave.
Douglas, WY 82633



Joe F. Girardin, Paralegal
Environmental Quality Council
122 W. 25th, Rm. 1714
Herschler Bldg.
Cheyenne, WY 82002
Phone: 307-777-7170
FAX: 307-777-6134