

Oct 08, 2012

**Jim Ruby, Executive Secretary
Environmental Quality Council**

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)	
VIOLATION AND ORDER ISSUED TO:)	
)
Mr. Rick Fierro)	DOCKET NO. 11-5213
RAM Trucking, Inc.)	
P.O. Box 20382)	
Cheyenne, WY 82003)	

**ORDER APPROVING JOINT STIPULATION TO MODIFY
ADMINISTRATIVE ORDER AND DISMISSING PETITION FOR REVIEW**

Respondent Wyoming Department of Environmental Quality (DEQ), Solid & Hazardous Waste Division (SHWD) issued Notice of Violation (NOV) & Order No. 4899-11 dated September 30, 2011 to Petitioner RAM Trucking, Inc. (RAM). RAM submitted a request for hearing (petition) before the Wyoming Environmental Quality Council (EQC) to contest the DEQ Order. RAM and DEQ are the only parties in this contested case. Prior to hearing, RAM and DEQ filed a Joint Stipulation to Modify Administrative Order and Dismiss Petition for Review on August 23, 2012. At the EQC's meeting in Cheyenne on October 5, 2012, RAM and DEQ orally agreed to modify their August 23, 2012 Joint Stipulation only by deleting the word "immediately" from the second sentence in ¶1(c) regarding the time and manner for RAM to notify DEQ of a force majeure event. ¶1(c) still calls for RAM to notify DEQ "not later than the next business day."

Chapter 1, Section 11 of the DEQ Rules of Practice & Procedure provides for the disposition of contested cases by stipulation of the parties upon approval of the EQC.

The EQC having considered the Parties' Joint Stipulation with the above-referenced modification, and finding it to be reasonable and appropriate,

IT IS HEREBY ORDERED that:

1. The Parties' Joint Stipulation to Modify Administrative Order and Dismiss Petition for Review is approved, incorporated herein, and shall be binding upon them;

2. In accordance with the Parties' Joint Stipulation, the Petition for Review in this matter is dismissed.

DATED this 5th day of October, 2012.



Wyoming Environmental Quality Council

CERTIFICATE OF SERVICE

I, Joe Girardin, certify that at Cheyenne, Wyoming, on the 15th day of October, 2012, I served a copy of the foregoing ORDER APPROVING JOINT STIPULATION by electronic mail to the following:

Carl Anderson
DEQ, SHWD - Administrator
carl.anderson@wyo.gov

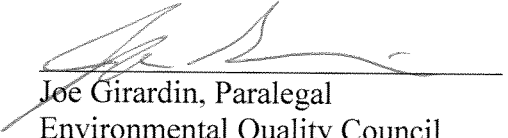
John Burbridge
Attorney for RAM Trucking, Inc.
burbridgelaw@hotmail.com

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

Mike Barrash
Assistant Attorney General
Mike.barrash@wyo.gov

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

Mr. Rick Fierro
RAM Trucking, Inc.
P.O. Box 20382
Cheyenne, WY 82003



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