

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

FILED

DEC 02 2011

*Jim Ruby, Executive Secretary
Environmental Quality Council*

In the matter of the Appeal of the)
WDEQ Director's Decision to a) Docket No. 11-5801
Requested Variance for Sheridan)
Landfill SHWD File #10.526)

**MOTION TO INTERVENE BY JEANINE K. BURSELL, KAYLEEN MCKINZIE, TONY
PELOSKY AND KIM RIPLEY**

COMES NOW Jeanine K. Bursell, Kayleen McKinzie, Tony Pelosky and Kim Ripley, herein referred to as "Intervenors", by and through their counsel, Mary A. Throne, of Throne Law Office, P.C., and hereby file this Motion to Intervene as a matter of right in the above-captioned matter. In support of this Motion, the Environmental Quality Council is advised as follows:

- a) The matter pending before the Council is the appeal of the WDEQ Director's decision to a requested variance for Sheridan Landfill SHWD file #:10.526 in Sheridan County, Wyoming.
- b) The proposed Intervenors live near the Sheridan Landfill.
- c) 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.
- d) The proposed Intervenors are an interested party in this proceeding as the landfill is near intervenors' homes, a mile and half away from a drinking water source, devaluation of property and within a mile of boundaries of a city or town.
- e) The Intervenors join in the objections filed by their neighbors in this matter and share counsel with the other landowners.
- f) Based upon the foregoing, Intervenors should be allowed to intervene to protect the value of their real property, as well as to ensure that the Council hears evidence from a broad range of landowners affected by the Director's decision.

- g) Counsel for proposed Intervenor has consulted with counsel for the State and counsel for the City of Sheridan and understands they do not object provided the Intervenor are joining the existing objections.

WHEREFORE, Intervenor pray the Council determine that Intervenor have met the burden under the Rules of Practice and Procedure and issue an Order allowing Intervenor to intervene in this proceeding.

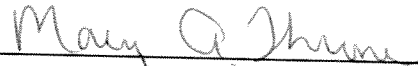
DATED this 2nd day of December, 2011.



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion was served by depositing same in the US Mail, first class postage prepaid, or by email, on the 2nd day of December, 2011.



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