

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

FILED

DEC 07 2011

**IN THE MATTER OF THE OBJECTION)
TO THE VARIANCE FOR THE SHERIDAN)
LANDFILL)**

Docket No. 11-5801
Jim Ruby, Executive Secretary
Environmental Quality Council

ORDER

1. A prehearing conference in this matter was held on Wednesday, December 6th, 2011 at 9:00 a.m. via telephone conference call. Presiding was Councilman David Searle. The hearing was transcribed by a court reporter. Present on behalf of the Objectors was Mary Throne. Objectors who attended the prehearing were Tony Pelosky, Glen Mooney, Kayleen McKinzie, Tom Balding, Betty and Dwight French, and Karen and Wayne Senf. Present on behalf of the Department of Environmental Quality (DEQ) was Senior Assistant Attorney General Mike Barrash. Present on behalf of the City of Sheridan was Greg Von Krosigk. Also present for the Council was Senior Assistant Attorney General John Knepper and Jim Ruby, Executive Secretary of the Council.
2. Ms. Throne had filed a Motion to Intervene on behalf of Jeanine K. Bursell, Kayleen McKinzie, Tony Pelosky and Kim Ripley. There being no objection to the Motion by the DEQ or GECR said Motion is granted.
3. The final hearing will begin on May 10th, 2012 at 9:00 a.m. The final hearing will be held in Sheridan Wyoming. The exact location will be decided at a later date.
4. All designation of expert witnesses and discovery, both written and oral shall be completed by 12:00 noon on or before March 30, 2012. The disclosure of expert witnesses shall comply with Rule 26 of the Supreme Court Rules of Civil Procedure.
5. Dispositive Motions shall be filed by 12:00 noon on April 18, 2012. Responses to Dispositive Motions shall be filed by 12:00 noon on April 30, 2012. The Council will hold a teleconference call for argument on any Dispositive Motions on May 8, 2012 prior to the prehearing conference.
6. The Parties shall exchange final witness lists and exhibit lists by May 7, 2012 at 12:00 noon Mountain Time. The witness lists shall include identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony. DEQ shall identify their exhibits as "DEQ 1, 2, 3" etc. The Sheridan Landfill shall identify their exhibits as "Sheridan 1, 2, 3" etc. Objectors shall identify their exhibits as "Objectors 1, 2, 3," or "Petitioners 1,2,3," etc.
7. A prehearing conference in this matter will be conducted on May 8, 2012 at 9:00 a.m. via telephone conference call. The parties shall inform the EQC office of a direct telephone

number and if possible an email address where they can be reached for the prehearing on or before 9:00 a.m. May 4, 2012. Failure to appear at the prehearing conference may result in dismissal from this case.

8. The purpose of the prehearing conference is:
 - a. Identification of witnesses, their addresses, phone numbers, and the substance of their proposed testimony;
 - b. 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;
 - c. Stipulation to uncontested facts;
 - d. Examination and marking of proposed exhibits and entering into stipulations to the foundation and admissibility of the exhibits and testimony; and

IT IS HEREBY ORDERED THAT:

1. All Parties shall appear for a prehearing conference in this matter on May 8, 2012 at 9:00 a.m. via telephone conference call. Failure to appear at the prehearing conference may result in dismissal from this case.
2. All parties shall appear in Sheridan Wyoming at 9:00 a.m. on May 10, 2012 for final hearing in this matter. The exact location shall be determined at a later date. Failure to appear at the hearing may result in dismissal from this case.
3. A court reporter will transcribe the hearing.

DATED this 7th day of December, 2011.


David Searle, Presiding Officer
Environmental Quality Council