

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

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 #10.5 26)

FILED

FEB 10 2012

Jim Ruby, Executive Secretary
Environmental Quality Council

**PROTESTANTS' MOTION TO STRIKE THE SHERIDAN COUNTY
LETTER**

COMES NOW Protestants, by and through their counsel, Mary A. Throne, of Throne Law Office, P.C., and hereby file this Motion to Strike from the record a letter from the Sheridan County Commission submitted by Sheridan County Commission Chairman Mike Nickel to the Environmental Quality Council, dated February 6, 2012, in support of the City of Sheridan's variance request. Through this document, the Sheridan County Commission is attempting to introduce evidence from a non-party (Sheridan County) in the matter, which is not proper until the evidence of such non-party is properly introduced on the record.

I have conferred with Michael Barrash, Esq., attorney for Wyoming DEQ and Greg Von Krosigk, Esq., attorney for City of Sheridan.

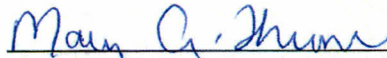
WHEREFORE, Protestants request that the Council strike the Sheridan County Letter.



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion to Strike was served by depositing same in the US Mail, first class postage prepaid, or by email, on the 10th day of February, 2012.



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