

**FILED**

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

**MAY 06 2013**

Jim Ruby, Executive Secretary  
Environmental Quality Council

**IN RE: OBJECTIONS TO MAJOR PERMIT )  
AMENDMENT FOR THE NORTH BIG ) DOCKET 13-5801  
HORN #2 LANDFILL )**

**BIG HORN COUNTY SOLID WASTE DISPOSAL DISTRICT'S  
RESPONSE TO FORMAL OBJECTION OF PARK COUNTY**

COMES NOW the Big Horn County Solid Waste Disposal District by and through the Big Horn County Civil Attorney, M. Scott McColloch and responds to the objection filed by Park County as follows:

**RESPONSE TO PARK COUNTY'S  
"THE FACTS OF THE MATTER"**

1. Big Horn County Solid Waste Disposal District agrees that the amended permit granted by the Department of Environmental Quality permits North Big Horn #2 Landfill to expand the service area as set forth in the amended permit.
2. Big Horn County Solid Waste Disposal District agrees it has two permitted active landfills in Big Horn County.
3. Big Horn County Solid Waste Disposal District is without information to form a belief as to the truth of averments contained in the remaining facts set forth by Park County except that the report from the Wyoming Department of Environmental Quality speaks for itself.
4. Big Horn County Solid Waste Disposal District admits that the addition of the solid waste from the City of Powell will increase the daily tonnage delivered to the North Big Horn #2 Landfill and denies that such increases mandate reclassification to a type I facility.

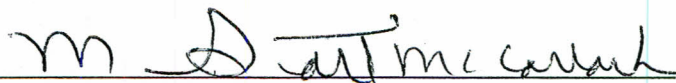
## RESPONSE TO COMMENTS

Big Horn County Solid Waste Disposal District's request for an amended permit was to accommodate the City of Powell and was not a precursor to becoming a regional MSW facility.

Big Horn County Solid Waste Disposal District denies that increased tonnage presents a highly elevated potential to increase impact to the groundwater and further denies that an independent determination of a Performance Based Design should have been made prior to granting the amended permit.

Big Horn County Solid Waste Disposal District denies that the amended permit is contrary to EPA Subtitle D and WDEQ doctrine.

Big Horn County Solid Waste Disposal District tipping fees and economic impact of the fees have no relevance in the issuance of the amended permit.



M. Scott McColloch  
Big Horn County Civil Attorney  
P.O. Box 111  
Greybull, WY 82426

## CERTIFICATE OF SERVICE

I, M. Scott McColloch, certify that at Greybull, Wyoming on the 2<sup>nd</sup> day of May, 2013, I served a copy of the foregoing RESPONSE TO FORMAL OBJECTION OF PARK COUNTY by electronic mail to the following:

Mike Barrash  
Asst. Attorney General  
[mike.barrash@wyo.gov](mailto:mike.barrash@wyo.gov)

Mark Stewart  
Attorney for Park County  
[mark@davisandcannonchey.com](mailto:mark@davisandcannonchey.com)

Carl Anderson  
Solid & Hazardous Waste Administrator  
[carl.anderson@wyo.gov](mailto:carl.anderson@wyo.gov)

and by depositing copies of the same in the United States mail, postage prepaid, overnight  
delivered, duly enveloped and addressed to:

Jessica M. Brown  
Office Assistant  
Environmental Quality Council  
122 W. 25<sup>th</sup>, Rm. 1714  
Herschler Building  
Cheyenne, WY 82002



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