BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

FILED

DEC 0 3 2008

Jim Ruby, Executive Secretary Environmental Quality Council

In the Matter of Frontier Refining Inc.'s Appeal of DEQ's October 27, 2008 Incorporation of the Barrier Wall Schedule Into the AOC and November 7, 2008 Denial That Frontier Has Achieved Boundary Control

Docket No. 08-3808

RESPONSE ORDER

The Environmental Quality Council has received a request for a hearing in the above captioned matter on November 19, 2008, from Frontier Refining, Inc.

IT IS HEREBY ORDERED: That the Department of Environmental Quality shall file a response to the petition with the EQC and the parties on or before January 2, 2009.

DATED this <u></u>day of December, 2008.

Dennis Boal, Chairman Environmental Quality Council

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 3rd day of December, 2008, I served a copy of the foregoing **RESPONSE ORDER** by electronic mail to the following;

Mark Ruppert Holland & Hart <u>mruppert@hollandhart.com</u>

Mike Barrash Office of Attorney General <u>mbarra@state.wy.us</u>

John Corra Director, DEQ jcorra@state.wy.us

Im

Kim Waring, Executive Assistant Environmental Quality Council 122 W. 25th, Rm. 1714 Herschler Bldg. Cheyenne, WY 82002 Phone: 307-777-7170 FAX: 307-777-6134