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**BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA**

**IN THE MATTER OF:
THE REVOCATION OF MONTANA AIR
QUALITY PERMIT NO. MAQP#2554-05,
ISSUED TO EUREKA PELLET MILLS
(INC.), EUREKA, LINCOLN COUNTY**

CASE NO. BER 2015-04a AQ

ORDER OF DISMISSAL

On September 25, 2015, the appellant informally requested withdrawal of its request for Contested Case with the Board. Appellant has failed to represent itself past its initial appearance other than to request withdrawal; on October 15, 2015, the Department moved to dismiss the action, and has shown good cause for doing so. Appellant has not responded. Accordingly, this matter is dismissed.

DATED this _____ day of March, 2016.

JOAN MILES
Chair, Board of Environmental Review

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing Order of Dismissal to be mailed to:

Ms. Hillary Houle
Secretary, Board of Environmental Review
Department of Environmental Quality
1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901
(original)

Mr. Norm Mullen
Legal Counsel
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Mr. David Klemp, Bureau Chief
Air Quality Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Patrick Pozzi
Patrick@johnsonbrothers.net

DATED: _____

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**BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA**

**IN THE MATTER OF:
THE REVOCATION OF MONTANA AIR
QUALITY PERMIT NO. MAQP#3039-02,
ISSUED TO EUREKA PELLET MILLS
(INC.), SUPERIOR, MINERAL COUNTY**

CASE NO. BER 2015-04b AQ

ORDER OF DISMISSAL

On September 25, 2015, the appellant informally requested withdrawal of its request for Contested Case with the Board. Appellant has failed to represent itself past its initial appearance other than to request withdrawal; on October 15, 2015, the Department moved to dismiss the action, and has shown good cause for doing so. Appellant has not responded. Accordingly, this matter is dismissed.

DATED this _____ day of March, 2016.

JOAN MILES
Chair, Board of Environmental Review

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing Order of Dismissal to be mailed to:

Ms. Hillary Houle
Secretary, Board of Environmental Review
Department of Environmental Quality
1520 East Sixth Avenue
P.O. Box 200901
Helena, MT 59620-0901
(original)

Mr. Norm Mullen
Legal Counsel
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Mr. David Klemp, Bureau Chief
Air Quality Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Patrick Pozzi
Patrick@johnsonbrothers.net

DATED: _____

BEFORE THE MONTANA BOARD OF ENVIRONMENTAL REVIEW

IN THE MATTER OF:
THE REVOCATION OF MONTANA AIR
QUALITY PERMIT NO. MAQP# 4057-00,
ISSUED TO MONTANA RENEWABLE
RESOURCES (LP), EUREKA, LINCOLN
COUNTY.

Case No. BER 2015-04c AQ

ORDER OF DISMISSAL

The Board of Environmental Review (Board), having reviewed the parties' Stipulation to Dismiss, hereby FINDS that the parties have stipulated to dismiss this contested case under Mont.R.Civ.P. 41(a)(1)(ii).

Based on the above Findings of Fact, the Board CONCLUDES that it is proper under Mont.R.Civ.P. 41(a)(1)(ii) to dismiss this case with prejudice.

The Board therefore ORDERS that this contested case is dismissed with prejudice.

Dated

JOAN MILES
Chair, Board of Environmental Review

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Order of Dismissal was served on the parties at the addresses indicated below on _____, 2016, via the manner indicated below:

US Mail:

Joshua Johnson
Johnson Lumber Company
PO Box 1912
Eureka MT 59917

Interagency Mail:

Norman J. Mullen
Special Assistant Attorney General
Department of Environmental Quality
Legal Unit, Metcalf Building
P.O. Box 200901
Helena MT 59620-0901
