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

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**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**

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**ORDER OF DISMISSAL**

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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**

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**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**

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**ORDER OF DISMISSAL**

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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**

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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

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**ORDER OF DISMISSAL**

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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

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