

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

<b>IN THE MATTER OF: THE APPEAL BY EXXONMOBIL REGARDING ITS AIR QUALITY OPERATING PERMIT NO. OP1564-02</b>	<b>CASE NO BER 2007-27 AQ</b>
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**DISMISSAL ORDER**

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The Montana Department of Environmental Quality (“Department”) and ExxonMobil have filed a Stipulation for Dismissal of this contested case with prejudice, based on a settlement reached between the Department and ExxonMobil.

Therefore, the Board finds good cause to dismiss this contested case. Pursuant to the Stipulation for Dismissal, the Department is directed to issue Title V Air Quality Operating Permit OP1564-02, and the Technical Review Document for that permit, with the revisions shown in the versions of those documents captioned “December 12, 2008, Version Containing Revisions Agreed to by ExxonMobil and DEQ to Resolve Contested Case No. BER 2007-27 AQ,” and this contested case is hereby dismissed with prejudice.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2009.

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JOSEPH W. RUSSELL, M.P.H., Chairman  
Board of Environmental Review

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing Dismissal Order to be served on the following persons by hand-delivery or by placing the same in the U.S. mail, first class postage prepaid:

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DATED: \_\_\_\_\_