

**PUBLIC SERVICE COMMISSION
OF UTAH**

Docket No. 12-035-92

SIERRA CLUB EXHIBIT 34

Environmental Quality Council Order

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

In the Matter of the Appeal)
And Petition for Review of)
BART Permit No. MD-6040)
(Jim Bridger power Plant); and)
BART Permit No. MD-6042)
(Naughton Power Plant).)

Docket No. 10-2804

FILED

NOV 19 2010

Jim Ruby, Executive Secretary
Environmental Quality Council

ORDER

This matter having come before this Council upon Petitioner PacifiCorp and Respondent Department of Environmental Quality, Air Quality Division's ("DEQ/AQD") Joint Motion for Approval of Settlement Agreement and Dismissal, and this Council having reviewed the Motion and being otherwise fully advised in the premises, hereby:

FINDS:

1. This Council has jurisdiction over the subject matter and the parties to this proceeding pursuant to WYO. STAT. ANN. § 35-11-112 and Chapter I, Section 11 of the DEQ Rules of Practice and Procedure.

2. PacifiCorp and DEQ have reached an agreed settlement of the issues in this case as memorialized in their Settlement Agreement.

ORDERS THAT:

3. The parties' Settlement Agreement is hereby approved, incorporated by reference into this Order, and binding upon PacifiCorp and DEQ;

4. DEQ to modify Permit No. MD-6040 in conformance with paragraph 5(b) of the Settlement Agreement;

5. PacifiCorp's Appeal and Petition for Review of BART Permit Nos. MD-6040 and MD-6042 is hereby deemed withdrawn and dismissed;

6. This Council will continue limited jurisdiction over the Settlement Agreement for purposes of Section 7 of the Settlement Agreement; and

7. Each party shall bear its own costs and attorney fees through the entry of this Order.

DATED this 18th day of November, 2010.



~~Tim Flitner, Chairman~~
F. David Searby, Presiding Officer

Approved as to Form:



Nancy E. Vehr, Sr. Asst. A.G. (6-3341)
Attorney for DEQ



John A. Coppede (5-2485)
Attorney for PacifiCorp

CERTIFICATE OF SERVICE

I, Kim Waring, certify that at Cheyenne, Wyoming, on the 19th day of November, 2010, I served a copy of the foregoing ORDER by electronic mail to the following:

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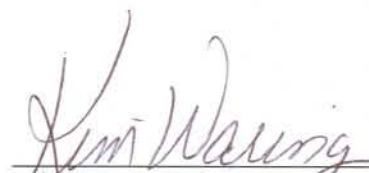
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