

RECEIVED

MAR 09 2005

DEQ Hearings Coordinator
DOCKET NO. _____

Jane E. Spencer
Rt. 2 Box 504
Grangeville, ID 83530
(208) 983-2254
(208) 983-0867 (fax)
ISBN 5411
Hearing Officer

**BEFORE THE BOARD OF ENVIRONMENTAL QUALITY
STATE OF IDAHO**

IN THE MATTER OF SIMMONS SANITATION)
_____))
KEN JONES,)
Petitioner,)
v.)
IDAHO DEPARTMENT OF)
ENVIRONMENTAL QUALITY,)
Respondent.)
_____)

Docket No. 0106-05-01

ORDER GRANTING
INTERVENTION

HAVING REVIEWED Simmons Sanitation's timely submitted Petition to Intervene, and having duly noted that Simmons Sanitation is a holder of a Department of Environmental Quality approved application, and having reviewed Petitioner Ken Jones' timely submitted Objection to Simmons Sanitation's Petition to Intervene;

IT IS HEREBY ORDERED that, as a holder of a Department of Environmental Quality approved application, IDAPA 58.01.23.353 allows intervention as a matter of right to Simmons Sanitation and intervention is so granted.

In accordance with IDAPA 58.01.23.355, any party opposing this Order Granting Intervention may petition the Idaho Board of Environmental Quality to review this order. Petitions for review shall be filed within fourteen (14) days of the service of this order.

Any responses to the Petition for review shall be filed within fourteen (14) days of the service of the petition for review.

DATED this 9th day of March, 2005.

Jane E. Spencer
Jane E. Spencer, hearing officer