

VERMONT ENVIRONMENTAL BOARD
10 V.S.A. Chapter 151

Re: Putney Paper Company, Inc.
Land Use Permit #2W0436-7-EB

MEMORANDUM OF DECISION

BACKGROUND

On December 12, 1994, Nathaniel Hendricks, Appellant, filed a written request for a subpoena for 40 witnesses. Environmental Board Chair Gibb reviewed the request pursuant to Environmental Board Rule 4 and denied it on December 29, 1994 ("Prehearing Ruling"). On January 20, 1995, the Appellant filed a Request for Reconsideration of, or Objection to, Prehearing Ruling with respect to seven of the original 40 witnesses and related documents. On February 7, 1995, the Agency of Natural Resources filed a response to Appellant's request. On February 24, 1995, Environmental Board Chair Ewing denied the Appellant's request for reconsideration.

ORDER

Upon consideration of the Appellant's objection to the Prehearing Ruling and ANR's response thereto, it is, this 24th day of February, 1995, ORDERED

1) The Appellant's objection to the Prehearing Ruling concerning the following witnesses and the associated documents noted therein is **GRANTED**:

Turk Ellis

Mark Ledgard

George Murray

James Dohrman

2) The Appellant's objection to the Prehearing Ruling concerning the following witnesses and the associated documents noted therein is **DENIED**:

Julie Hackbarth

Putney Paper Company, Inc.
Land Use Permit #2W0436-7-EB
Memorandum of Decision
Page 2

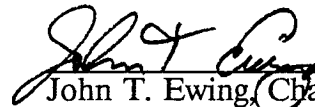
Peter Marshall

Bruce Linton

The Board reserves the right to call Ms. Hackbarth and Messrs. Marshall and Linton as Board witnesses pursuant to Environmental Board Rule 20 and in accordance with ANR's February 7, 1995 submittal.

3) The Board interprets numbered paragraph 11 of Appellant's objection to the Prehearing Ruling to mean that the Appellant wants the Board to direct that all subpoenaed documents be submitted directly to the Board. This request is **DENIED**. In order to have the Board consider these or any other documents as evidence in this case, the Appellant shall file them with the Board in accordance with Section V of Chair Gibb's December 29, 1994 Prehearing Conference Report and Order.

ENVIRONMENTAL BOARD



John T. Ewing, Chair
John Martin Farmer
Arthur Gibb
Samuel Lloyd
William Martinez
Robert Page

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