WEDNESDAY, OCTOBER 3, 2012 10:00 A.M.

NO. 2

#26290

IN RE IN THE MATTER OF THE PREVENTION OF SIGNFICANT DETERIORATION (PSD) AIR QUALITY PERMIT APPLICATION OF HYPERION ENERGY CENTER -HYPERION REFINING LLC -PERMIT #28.0701 - PSD.

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(FOR INTERVENOR/APPELLANT SIERRA CLUB, SAVE UNION COUNTY, CITIZENS OPPOSED TO OIL POLLUTION)

SIERRA CLUB, SAVE UNION COUNTY, CITIZENS OPPOSED TO OIL POLLUTION)

> (FOR INTERVENOR/APPELLANT SIERRA CLUB, SAVE UNION COUNTY, CITIZENS OPPOSED TO OIL POLLUTION)

(FOR APPELLEE HYPERION RESOURCES, LLC)

(FOR APPELLEE HYPERION RESOURCES, LLC)

The Honorable Marty J. Jackley Attorney General RESOURCES)

(FOR APPELLEE SD DEPT OF **ENVIRONMENT & NATURAL**

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The Honorable Mark Barnett (CIV 09-400) Sixth Judicial Circuit Hughes County