

**MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION**

In the Matter of:	)	
	)	
BUILDEX, INC.,	)	LRP Permit No. <b>0387</b>
New Market Plant Site	)	Proceeding Under
Platte County, Missouri	)	The Land Reclamation Act,
Permit Expansion Application	)	Sections 444.760 through 444.790,
	)	RSMo.
CONCERNED CITIZENS	)	
OF PLATTE COUNTY,	)	
ALAN & PAULA WEBB,	)	
KARI KNABE,	)	
SUSAN BROWN,	)	
JERALD & LORENE FANSHER,	)	
	)	
Petitioners,	)	
	)	
v.	)	
	)	
MIKE LARSEN,	)	
Staff Director,	)	
Land Reclamation Program,	)	
Division of Environmental Quality,	)	
Respondent,	)	
	)	
BUILDEX, INC,	)	
Applicant,	)	

**FINAL ORDER**

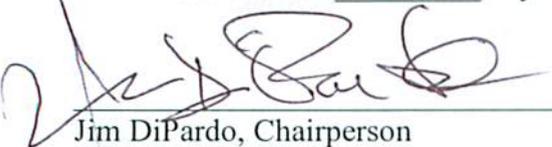
Petitioners have voluntarily dismissed their action challenging approval of Applicant's Permit Expansion Application #0387, Petitioners, Applicant and Respondent have agreed to six special permit conditions that address the Petitioners' concerns regarding Applicant's Permit Expansion Application, and Petitioners have agreed to the issuance of the Permit Expansion with the six special permit conditions.

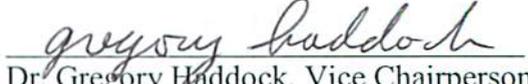
Hearing Officer, W. B. Tichenor made a recommendation on November 8, 2009, that the Application for Expansion of Permit # 0387, Platte County, Missouri should be approved, with the six special permit conditions, as set forth in the Recommended Order.

IT IS HEREBY ORDERED THAT:

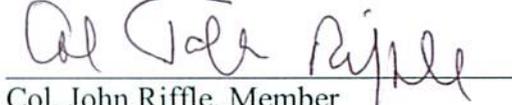
- 1) The hearing officer's Recommended Order is adopted and approved in full.
- 2) The Findings of Fact, Conclusions of Law and Decision made by the hearing officer are hereby fully incorporated by reference herein.
- 3) The Secretary of the Commission is to provide copies of this Final Order to the parties.

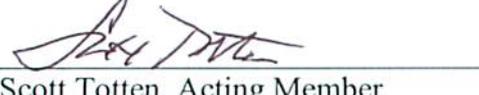
Entered this 19 day of November, 2009.

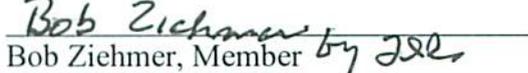
  
Jim DiPardo, Chairperson

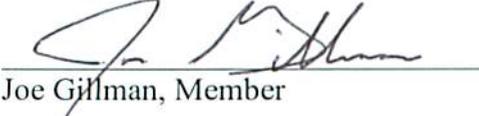
  
Dr. Gregory Haddock, Vice Chairperson

  
Nick Matherly, Member

  
Col. John Riffle, Member

  
Scott Totten, Acting Member

  
Bob Ziehmer, Member by JSE

  
Joe Gillman, Member

Copies to be sent immediately by the Land Reclamation Commission to:

Charles F. Speer & Tammy R. Dodson, Speer Law Firm, P.A., The Stilwell Building, Suite # 305, Kansas City, MO 64105

Kara Valentine, Assistant Attorney General, P. O. Box 899, Jefferson City, MO 65102-0899, Attorney for Respondent.

Richard S. Brownlee III, & Adam Troutwine, HENDREN ANDRAE, LLC, 221 Bolivar Street, P.O. Box 1069, Jefferson City, MO 65102, Attorneys for Applicant

W. B. Tichenor, Hearing Officer, 1212 Torrey Pines Dr., Columbia, MO 65203-4824