

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN RE: REQUEST BY THE UTAH DIVISION OF OIL, GAS, AND MINING TO FORFEIT THE RECLAMATION SURETY IN ORDER TO COMPLETE RECLAMATION OF THE WELLINGTON DRY-COAL CLEANING FACILITY, PERMIT NO. C/007/0045, LOCATED IN SECTION 14, TOWNSHIP 15 SOUTH, RANGE 10 EAST, SLBM, CARBON COUNTY, UTAH

NOTICE OF HEARING

Docket No. 2019-014

Cause No. C/007/0045

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining (the “Board”), State of Utah, will conduct a hearing on Wednesday, May 27, 2020, at 10:00 a.m., or as soon thereafter as possible. The hearing will be conducted electronically as allowed by Utah Executive Order 2020-1 (the “Executive Order”). In the event that the Executive Order is lifted before the prescribed hearing date, the meeting will be held in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah. The hearing will be streamed live on the Department of Natural Resources YouTube channel at https://youtu.be/Rw5hW_d5O-g.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-10-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Motion for Reconsideration filed by the Utah Division of Oil, Gas, and Mining (“Division”), requesting that the Board rehear and modify the Findings of Fact, Conclusions of Law entered on November 12, 2019, and that the Board enter an Order:

1. Allowing the Division to use a forfeited bond to abate an off-site violation where that violation is directly traced to an on-site violation and specifically allowing the Division to use the forfeited surety to address Cessation Order #21201; and

2. Providing such other equitable relief as may be just and reasonable based on the evidence and arguments provided at the hearing.

Objections to the Motion for Reconsideration must be filed with the Secretary of the Board at the address listed below no later than the 11th day of May, 2020. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Motion for Reconsideration, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah

Board of Oil, Gas and Mining's website at
<http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 1st day of May, 2020.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Ruland J Gill, Jr., Chairman

/s/ Julie Ann Carter
Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2019-014 Cause No. C/007/0045 to be PUBLISHED in the following newspapers on the following days:

May 3, 2020:

The Salt Lake Tribune and Deseret News, newspapers of general circulation in Salt Lake City and County.

May 6, 2020:

ETV News, a newspaper of general circulation in Carbon and Emery Counties.

/s/ Julie Ann Carter

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of May, 2020, I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2019-014 Cause No. C/007/0045, to be mailed with postage prepaid, via E-mail, or First Class Mail, to the following:

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/s/ Julie Ann Carter