Pursuant to Utah Code § 19-1-301 and Utah Admin. Code R305-7-301 et seq., on February 16, 2021, the Administrative Law Judge (“ALJ”) in the above-referenced matter issued a proposed dispositive action recommending the entry of an order dismissing the pending adjudicative proceeding.

Under authority of Utah Code § 19-1-301(7)(b) and Utah Admin. Code R305-7-316, when an ALJ submits a recommended dispositive action, the Executive Director may: (1) approve it; (2) approve it with modifications; (3) disapprove it; or, (4) return it to the ALJ for further action as directed.

Having reviewed the findings of fact and conclusions of law set forth in the STIPULATION AND CONSENT ORDER dated January 12, 2021, and the ALJ’s February 16, 2021, Recommended Order, and the Parties having no objection, I approve and adopt the ALJ’s Recommended Decision in full.

ORDER

IT IS HEREBY ORDERED that the Petitioner’s Request for Agency Action be dismissed with prejudice and each party bearing its own costs and expenses (including attorney’s fees) incurred in this adjudication.
DATED this 25th day of February, 2021.

Signature: ________________________________
Kimberly D. Shelley, Executive Director
Utah Department of Environmental Quality

Email: kshelley@utah.gov

Kim Shelley (Feb 25, 2021 09:34 MST)
CERTIFICATE OF MAILING

I hereby certify that on this 25th day of February, 2021, I served a true and correct copy of the foregoing ORDER ADOPTING ALJ’S RECOMMENDED ORDER OF DISMISSAL via e-mail with the following recipients:

Langdon T. Owen, Jr.
Administrative Law Judge
Cohne Kinghorn, P.C.
111 East Broadway, 11th Floor
Salt Lake City, Utah 84111
lowen@cohnekinghorn.com

Bret F. Randall
Meg Osswald
Utah Attorney General’s Office
195 North 1950 West
P.O. Box 140873
Salt Lake City, Utah 84114-0873
bfrandall@agutah.gov
megosswald@agutah.gov

Martin K. Banks
Stoel Rives, L.L.P.
201 South Main Street, Suite 1100
Salt Lake City, Utah 84111
mkbanks@stoel.com

Tim Davis, Director
Division of Drinking Water
195 North 1950 West
P.O. Box 144830
Salt Lake City, Utah 84114-4830
timdavis@utah.gov

Darien Alcorn
Sandy City Attorney’s Office
9450 South 150 East
Sandy, Utah 84070
dalcorn@sandy.utah.gov

/s/ Shane R. Bekkemellom
Shane R. Bekkemellom,
Administrative Legal Secretary