
**BEFORE THE EXECUTIVE DIRECTOR
OF THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

**IN THE MATTER OF

CRESCENT POINT U.S.
CORPORATION'S APPLICATION
FOR CERTIFICATION OF THE
SURFACE CASING OF THE DEEP
CREEK 7-27-4-2E WELL AS A
POLLUTION CONTROL FACILITY**

**ALJ'S LIMITED REMAND ORDER TO THE
DIRECTOR AND SCHEDULING ORDER**

July 7, 2020

**Lucy B. Jenkins
Administrative Law Judge**

INTRODUCTION

1. On August 31, 2018, the Administrative Law Judge (ALJ) issued the *Findings of Fact, Conclusions of Law, and Recommended Order on the Merits*.
2. On January 25, 2019, the Executive Director issued the *Executive Director's Remand Order* which requests supplemental briefing with analysis consistent with the Remand Order
3. On April 30, 2019, the ALJ issued the *Recommended Order in Response to Director's Remand Question Number One*.
4. On June 16, 2020, the Executive Director issued the *Executive Director's Limited Remand Order to the Director*.

LIMITED REMAND ORDER

As directed by the Executive Director in the *Executive Director's Limited Remand Order to the Director*, the ALJ orders a limited remand to the Director to:


- (i) Issue a revised permit order that includes: (1) written findings of fact; (2) written conclusions of law; and (3) sufficient legal analysis to enable agency and judicial review of the Director's revised permit order.
- (ii) Respond to the four remand questions set forth on pages 12 to 13 of the *Executive Director's Limited Remand Order to the Director*.

SCHEDULING ORDER

The parties hereto, the Director of the Division of Water Quality ("DWQ") and Crescent Point U.S. Corporation, having conferred, the ALJ hereby enters the following Scheduling Order:

Item	Due Date
Revised Permit Order by the Director	September 4, 2020
Opening Brief by Crescent Point, no more than 30 pages	September 18, 2020
Response Brief by the DWQ, no more than 30 pages	October 2, 2020
Reply Brief by Crescent Point, no more than 15 pages	October 16, 2020
Surreply Brief by the DWQ, no more than 15 pages	October 26, 2020

DATED this 7th day of July, 2020.


 Lucy B. Jenkins
 Administrative Law Judge (by K.R.)

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 2020, a true and correct copy of the foregoing **ALJ'S Limited Remand Order to the Director and Scheduling Order** was sent by electronic mail to the following:

Administrative Proceedings Records Officer
DEQAPRO@utah.gov

Erica Gaddis
egaddis@utah.gov
Director, Division of Water Quality

Kimberlee McEwan
Assistant Attorney General
kmcewan@agutah.gov
Attorney for the Director, Division of Water Quality

Amanda Smith
asmithdillon@yahoo.com

Steven P. Young
spyoung@hollandhart.com
Holland & Hart LLP
Attorneys for Crescent Point U.S. Corporation

/s/ Karen Richardson