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

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**In the Matter of:**

**Kennecott Utah Copper, L.L.C.  
UPDES Permit No. UT0000051**

**ORDER ADOPTING RECOMMENDED  
ORDER OF DISMISSAL**

May 18, 2017

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Pursuant to Utah Code Ann. § 19-1-301.5 and Utah Admin. Code R305-7-201 *et seq.*, on May 9, 2017, the Administrative Law Judge (“ALJ”) in the above-referenced permit review adjudicative proceeding issued a decision recommending the entry of an order dismissing the pending groundwater permit review adjudicative proceeding.


Under authority of Utah Code Ann. § 19-1-301.5(12) and (13) and Utah Admin. Code R305-7, when an ALJ submits a recommended dispositive action, the Executive Director may: 1) adopt it; 2) adopt it with modifications; 3) reject it; or 4) return it to the ALJ for further action as required.

Having reviewed the ALJ’s Recommended Order of Dismissal, and the Parties having no objection, I adopt the Recommended Decision in full.

**ORDER**

IT IS HEREBY ORDERED that Petitioner’s Request for Agency Action dated February 15, 2007, challenging UPDES Permit No. 0000051 be dismissed with prejudice, terminating these adjudicative proceedings.

DATED this 18<sup>th</sup> day of May, 2017.

  
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Alan Matheson, Executive Director  
Utah Department of Environmental Quality

## NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Utah Code Ann. §§ 19-1-301.5(14), 63G-4-401, 63G-4-403, 63G-4-405, and the Utah Rules of Appellate Procedure, a party may seek judicial review in the Utah Court of Appeals or the Utah Supreme Court within thirty (30) days of the date of this Order.

### CERTIFICATE OF SERVICE

I hereby certify that on this 18<sup>th</sup> day of May, 2017, the undersigned served a copy of the foregoing **Order Adopting Recommended Order of Dismissal** via e-mail to the following:

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