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NEWS RELEASE

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Appeal's Judge Affirms Water Quality Decision on Oil Sands Permit

Salt Lake City, Utah – An administrative law judge sided with the Utah Division of Water Quality's (DWQ) decision to not issue a ground water permit to U.S. Oil Sands due to substantial evidence in the administrative record that no shallow ground water exists in the project area. Further, the judge ruled that even if ground water did exist, the project would pose a minimal risk to the quality of that ground water.

Judge Sandra Allen issued a recommended decision Tuesday that will be forwarded to the Water Quality Board for final approval. The Board is scheduled to meet at its regularly-scheduled meeting on Sept. 26 and at that time will set a date to hear comments from the parties involved in the permit appeal.

In her 40-page recommendation, Allen noted that substantial evidence supports DWQ's finding that ground water is absent in the project area except for a deep regional aquifer which would be unaffected by the project.

"I'm pleased with the findings," said Walt Baker, director of Water Quality. "It acknowledges DWQ staff did a thorough review of the project and appropriately determined it would have negligible impact to the ground water. The recommendation supports our findings."

Living Rivers, an environmental advocacy group, challenged DWQ's March 4, 2008 decision to issue a permit-by-rule under Utah Ground Water Protection Rules that does not include the more rigorous monitoring requirements of a ground water permit.

U.S. Oil Sands had received permits from the Division of Oil, Gas and Mining (DOG M) to develop an oil sands mining operation, the PR Spring Project, on 6,000 acres in the arid Colorado Plateau. The DOGM permit is also being appealed.

A copy of the decision is available at: <http://www.deq.utah.gov/locations/prsprings/index.htm>.

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