

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF THE BOND)
FORFEITURE PROCEEDINGS)
AGAINST THE BOND OF) **Docket No. 21-5501**
In Re Windsor Energy Group, LLC)
58.093)

BOND FORFEITURE ORDER

This matter comes before the Wyoming Environmental Quality Council on the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division's motion for forfeiture of Windsor Energy Group, LLC's performance bond for Voluntary Remediation Program (VRP) Site No. 58.093. The Council, having reviewed the motion and being otherwise fully informed, makes the following findings of fact and conclusions of law:

1. On February 14, 2007, Windsor Energy Group, LLC (Windsor) entered the Crosby 25-3 Natural Gas Well Release Site into the Department of Environmental Quality's Voluntary Remediation Program (VRP). A release at this well site (VRP Site No. 58.093) impacted groundwater within a shallow alluvial aquifer and deep bedrock aquifer in the Line Creek drainage near Clark, Wyoming.

2. The Department and Windsor agreed upon remediation measures for VRP Site No. 58.093 in a Remedy Agreement executed on January 16, 2012, and a Modification executed on May 15, 2018.

3. Windsor posted a \$341,193.11 performance bond for VRP Site No. 58.093, in the form of an irrevocable letter of credit issued by BOKF, NA (Bond No. BOK20SDF10510).

4. Windsor notified the Department on August 19, 2021, that it was ceasing active business operations in Wyoming and would not be performing further remediation work at VRP Site No. 58.093.

5. On October 15, 2021, the Department issued Windsor a Notice of Violation for failure to complete remediation requirements at VRP Site No. 58.093.

6. The Council approved the Department's request to initiate bond forfeiture proceedings against Windsor on November 16, 2021.

7. On November 23, 2021, the Attorney General's Office sent notice of the forfeiture proceedings to Windsor and BOKF, NA. The notice stated that the Council may enter an order forfeiting Windsor's bond unless Windsor or BOKF, NA requested a hearing within thirty days. Windsor and BOKF, NA received the above-described notice by certified mail.

8. Neither Windsor nor BOKF, NA requested a hearing before the Council.

9. The Department has satisfied all requirements for bond forfeiture pursuant to Wyo. Stat. Ann. § 35-11-504(h) and (j).

Therefore, the Council hereby orders that Bond No. BOK20SDF10510 in the amount of \$341,193.11 is forfeited to the Department for use by the Department to continue the performance and maintenance of any required engineering controls and monitoring activities at VRP Site No. 58.093.

DATED this ____ day of _____, 2022.

John Corra, Chairman
Environmental Quality Council