

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

In Re Andreas Petroleum

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Docket No. 21-3201

THIRD JOINT STATUS REPORT AND REQUEST FOR CONTINUANCE

COME NOW, Andreas Petroleum (“Andreas”) and the State of Wyoming, Department of Environmental Quality, Water Quality Division (“DEQ/WQD”), by and through their respective counsel, and hereby file this joint status report and request for an additional continuance in the above-captioned matter.

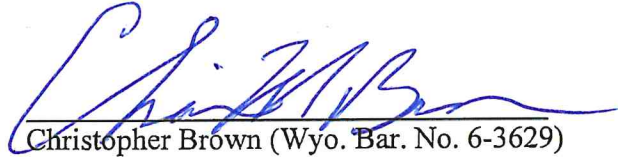
1. Andreas filed a Notice of Appeal and Petition for Hearing in this matter on May 11, 2021.
2. The Hearing Officer granted the parties’ joint requests to continue this matter for the purpose of facilitating a solution on June 15 and September 16, 2021.
3. On November 16, 2021, the Hearing Officer continued this matter until such time as the parties filed a Motion to Dismiss, a Motion for Scheduling Conference and Request for Final Hearing, or such other pleadings.
4. Since that time, Andreas has continued to work with DEQ/WQD to resolve the NOV and Order as well as other issues connected with the National Park Service and the Environmental Protection Agency which result from the site being located within Yellowstone National Park.

5. Andreas also filed claims against its insurance carriers seeking to enforce coverage for environmental response, remediation, and damages associated with the spill subject to the NOV and Order in the U.S. District Court for the District of Montana (Andreas Enterprises, LLC, et al. v. Beehive Insurance Agency, Inc., et al., Case No. CV 21-07-BU-BMM).
 - a. In an effort to resolve those insurance coverage claims, Andreas and its insurance carriers engaged in mediation in November of 2023. The DEQ/WQD and the affected federal agencies participated as non-parties in the mediation to help pursue a complete resolution of existing claims and to help achieve the corrective actions necessary to resolve the NOV and Order.
 - b. Subject to finalizing all necessary agreements and approvals, Andreas and its insurance carriers did resolve their insurance coverage claims in such amounts as will satisfy response costs and damages claimed by the affected federal agencies and to fund implementation of a remedy plan which was approved by DEQ/WQD on March 6, 2024.
6. Andreas, DEQ/WQD, and the affected federal agencies are currently working together to draft the documents necessary to finalize the agreement reached to resolve outstanding claims and implement the approved remedy plan.
7. On April 29th, 2024, the Chairman of the Environmental Quality Council, Steve Lenz, appointed Marjorie Bedessem to act as the hearing officer in this matter, and ordered the parties to file a joint status report on or before May 17, 2024.

WHEREFORE, the Parties respectfully request the Council continue this matter to provide the Parties additional time to complete the agreed upon settlement until such time as the parties

file a Motion to Dismiss, a Motion for Scheduling Conference and Request for Final Hearing, or such other pleadings. A proposed order granting the requested continuance is attached.

Submitted this 17th day of May, 2024.



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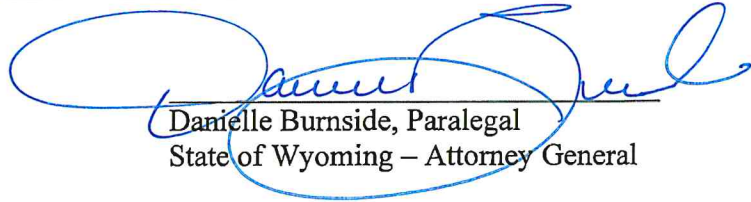
CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of May, 2024, a true copy of the foregoing *Third Joint Status Report and Request for Continuance* was served upon the persons listed below as follows:

Marjorie Bedessem, Hearing Officer Wyoming Environmental Quality Council 2300 Capitol Avenue Hathaway Bldg. 1st, Room 136 Cheyenne, WY 82002 eqc-all@wyo.gov	<input checked="" type="checkbox"/> Interagency Mail <input checked="" type="checkbox"/> Electronic Service <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Todd Parfitt, Director Wyoming Dept. of Environmental Quality 200 West 17th Street, 4th Floor Cheyenne, WY 82002 todd.parfitt@wyo.gov	<input checked="" type="checkbox"/> Interagency Mail <input checked="" type="checkbox"/> Electronic Service <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Steve Lenz, Chairman Wyoming Environmental Quality Council 122 West 25 th Street Room E423A, Herschler Building, 4 th Floor Cheyenne WY 82002	<input checked="" type="checkbox"/> Interagency Mail <input type="checkbox"/> Electronic Service <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Jennifer Zygmunt, Administrator Water Quality Division Wyoming Dept. of Environmental Quality 200 West 17th Street, 4th Floor Cheyenne, WY 82002 Jennifer jennifer.zygmunt@wyo.gov	<input type="checkbox"/> U. S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Service <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
Richard S. Baron Foley, Baron, Metzger & Juip, PLLC 38777 Six Mile Road Suite 300 Livonia, MI 48152 rbaron@fbmjlaw.com	<input type="checkbox"/> U. S. Mail, postage prepaid <input checked="" type="checkbox"/> Electronic Service <input type="checkbox"/> Facsimile Transmission <input type="checkbox"/> Personal Delivery
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State of Wyoming – Attorney General