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Jim Ruby, Executive Secretary
Environmental Quality Council

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

IN RE LINC ENERGY OPERATIONS, Inc.) DOCKET NO. 13-4804

LINC ENERGY OPERATIONS, Inc. WITNESS AND EXHIBIT LIST

Pursuant to the Order of Schedule entered herein on October 28, 2013, Linc Energy Operations, Inc. (Linc), by and through undersigned counsel, identifies its witnesses and exhibits as follows:

A. Witnesses. Linc will call the following witnesses:

1. Brian Deurloo
General Manager, Clean Energy, Wyoming
317 West Birch
P.O. Box 789
Glenrock, WY 82637
Tel: (307) 309-2000

Mr. Deurloo will testify regarding his current position with Linc Energy, and his educational and professional background. Mr. Deurloo is the Wyoming General Manager, of Linc's Clean Energy division.

Mr. Deurloo will generally describe the underground coal gasification (UCG) process, and describe Linc's global activities and holdings, and its experience and expertise related to its UCG facility in Chinchilla, Queensland, Australia. Mr. Deurloo will also offer testimony regarding the site selection process that Linc uses for UCG projects and explain the importance of each of the site selection criteria.

Mr. Deurloo will offer a detailed description of the proposed Gasifier 6 demonstration project that is the subject of this contested case proceeding, including its location, the geology of the site, the design of the project, the system for detection and control of excursions of any contaminants, the plans for operation of the gasifier, the plans for decommissioning, rehabilitation and reclamation, and other general parameters of the project as detailed in the R&D License application.

Mr. Deurloo may further summarize the past UCG projects that have been conducted in Wyoming and elsewhere, and testify concerning their relative success or failure, and the reasons for their success or failure.

Mr. Deuloo may also testify concerning the investigations which have been done which indicate that commercially producible quantities of minerals are present in the Wyodak coal seam, a portion of which is proposed for the aquifer reclassification and exemption that is at issue in this matter. He will describe, as noted above, the mining method to be used (i.e., UCG). He will also testify regarding the mineralogy and geochemistry of the mining zone and a probable development timetable.

If deposed, Mr. Deurloo may further testify regarding any matter discussed in his deposition.

2. Mr. Thomas J. Osborne
Principal Hydrologist
Hydro Solutions, Inc.
1500 Poly Drive, Suite 103
Billings, MT 59012
Tel: (406) 655-9555 ext. 101

Mr. Osborne is a professional hydrologist, who was retained and performed services as a consultant to Linc Energy Operations, Inc. in conducting groundwater hydrology investigations and in the preparation and submission of the application for research and development license at

issue in this matter. Mr. Osborne's work on the project included the gathering of factual information related to hydrology and hydrogeology that is relevant to the application. Linc Energy Operations will call Mr. Osborne to present that factual information as well as technical information related to his area of expertise to the Environmental Quality Council. The facts related to the issues in this case are set forth in detail in the "Aquifer Reclassification Justification Statement of Basis" (SOB), also referred to as Appendix D-12 of the R&D Application.

In addition, Mr. Osborne may be asked to offer his opinions regarding whether the demonstration project meets the requirements for an aquifer exemption under the applicable Federal regulations. Specifically, if asked, Mr. Osborne would opine that the project meets the requirements of 40 CFR § 146.4, in that the portion of the Wyodak aquifer at issue in this case does not currently serve as a source of drinking water, and it cannot now and will not in the future serve as a source of drinking water because it can be demonstrated to contain minerals or hydrocarbons that considering their quantity and location are expected to be commercially producible. Mr. Osborne may also opine that the aquifer is situated at a depth which makes recovery of water for drinking water purposes economically impractical. The facts supporting these opinions are set forth in detail in Appendix D-12 of the Application, as well as other portions of the R&D License application.

In expressing his opinions, Mr. Osborne may further rely on his education, training and experience in the field, as well as reliable public information and learned treatises.

If deposed, Mr. Osborne may further testify regarding any topic covered in his deposition.

3. Other Witnesses. Linc may call any witness disclosed, but not called, by the State of Wyoming or the Powder River Basin Resource Council. Linc further reserves the right to call any witness required to rebut testimony offered by any other party, the necessity for which is not currently known.

B. Exhibits. Linc may offer any or all of the following exhibits:

<u>Exhibit No.</u>	<u>Description</u>
Linc 1	Underground Coal Gasification R&D License Application, Section 13.14 Appendix D-12 Statement of Basis, Wyodak Coal Aquifer Exemption.
Linc 2	Letter dated August 29, 2013, from Kevin Frederick to Douglas Minter, (transmitting UGC Application materials to EPA).
Linc 3	Underground Injection Control Program, Memorandum of Agreement between the State of Wyoming and the United States EPA, April, 1983.
Linc 4	Application for WDEQ Class III Underground Injection Control and Research and Development License, August, 2013 (also identified by the State of Wyoming).
Linc 5	Letter dated October 25, 2013, from Derrith Watchman-Moore to Kevin Frederick (“interim response” from EPA re: Aquifer Exemption).
Linc 6	UCG Power Point presentation.
Linc 6a	UCG Video (included in Ex. 6).
Linc 7	Thomas J. Osborne Resume.
Linc 8	Figure 14-6, Water Treatment Process.
Linc 9	Aquifer Exemption Area.
Linc 10	Aquifer Exemption Figure 13.14.2.

Linc 11 Excursion Well Siting Control Figure 2.

Linc 12 Site Layout Plan.

Linc 13 Figure 13.8-3, Generalized Stratigraphic Column

Linc 14 Stock Wells Within 3 Miles of Project Area.

Linc 15 Wells Within Ten Miles of Project.

Linc 16 Figure 13.8-7, Existing and Proposed Monitor Wells.

Linc 17 Gasifier Pressure Graph, Rocky Mountain 1.

Linc 18 Rocky Mountain 1 ELW Cavity Decommissioning and Restoration
Contaminant Trends, Pt. 1.

Linc 19 Rocky Mountain 1 CRIP Cavity Decommissioning and Restoration
Contaminant Trends, Pt. 1.

Linc 20 Rocky Mountain 1 CRIP Cavity Decommissioning and Restoration
Contaminant Trends, Pt. 2.

Linc 21 Source Aquifers for Groundwater Users Within AQ Boundary.

Linc 22 Wasatch and Fort Union Stratigraphy Chart.

Linc 23 HydroStratigraphic Column.

Linc 24 Idealized HydroStratigraphic Column Showing Water Levels.

Linc 25 Alternative Water Supply Sources.

Linc 26 LQD Reference Document 7, Groundwater Reclassification to Class V
(Mineral Commercial) and Aquifer Exemption Process.

Linc 27 GasTech Report (2007) (Included in PRBRC Exhibits).

Linc 28 EPA Guidance 34 (Included in PRBRC Exhibits).

Linc 29 Topical Report, Rocky Mountain 1.

Linc may further offer any exhibit identified by any other party, or any exhibit needed solely for the purpose of impeachment.

Dated this 6th day of November, 2013.

Linc Energy Operations, Inc.

By: 

Bruce A. Salzberg
Crowell & Moring, LLP
205 Storey Blvd., Ste. 120
Cheyenne, WY 82009

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Witness and Exhibit List was served by electronic mail on the 6th day of November, 2013, on the following:

Jeremiah Williamson
Asst. Attorney General
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