

BOARD OF ENVIRONMENTAL REVIEW
THURSDAY, OCTOBER 29, 2020
9:00 am – 11:00 am
DEQ ZOOM CONFERENCE

NOTE: Board members, the Board attorney, Board liaison and secretary will be participating telephonically. Interested persons, members of the public, and the media are welcome to attend at the location stated above. Members of the public and press also may join Board members with prior arrangement. Contact information for Board members is available on the Board's Website (<http://deq.mt.gov/DEQAdmin/ber/board>) or from the Board Interim Secretary, Deb Sutliff (dsutliff@mt.gov). The Board will make reasonable accommodations for persons with disabilities who wish to participate in this meeting. Please contact the Board Secretary by e-mail at dsutliff@mt.gov, no later than 24 hours prior to the meeting to advise her of the nature of the accommodation needed.

9:00 am

I. ACTION ITEM

A. ACTION ON CONTESTED CASES.

1. IN THE MATTER OF: NOTICE OF APPEAL AND REQUEST FOR HEARING BY CHS, INC. REGARDING ISSUANCE OF MPDES PERMIT NO. MT0000264

On February 8, 2019, the BER appointed Sarah Clerget as hearing examiner to preside over this contested case. The Board directed Ms. Clerget to consolidate this case with BER 2015-07 WQ for scheduling purposes. On December 13, 2019, the Board issued an Order for Final Agency Decision adopting the Stipulation of Appeal Issues Nos. 3, 4, 6, 7, and partially No. 5. After many scheduling conferences and the rulemaking process regarding Arsenic from the Board, the parties have now reached a settlement, which is before the Board for approval.

2. IN THE MATTER OF THE NOTICE OF APPEAL OF FINAL MPDES PERMIT NO. MT0000264 ISSUED BY DEQ FOR THE LAUREL REFINERY IN LAUREL, YELLOWSTONE COUNTY, MONTANA, BER 2015-07 WQ.

On February 8, 2019, the BER appointed Sarah Clerget as hearing examiner to preside over this contested case. The Board directed Ms. Clerget to consolidate this case with BER 2019-01 WQ (CHS), Therefore, action on this case is combined with action on the above case.

II. GENERAL PUBLIC COMMENT

Under this item, members of the public may comment on any public matter within the jurisdiction of the Board that is not otherwise on the agenda of the meeting. Individual contested case proceedings are not public matters on which the public may comment.

III. ADJOURNMENT