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BEFORE THE BOARD OF ENVIRONMENTAL REVIEW
OF THE STATE OF MONTANA

BOARD MEETING)
February 8, 2019)

TRANSCRIPT OF PROCEEDINGS

Heard at Room 111 of the Metcalf Building
1520 East Sixth Avenue
Helena, Montana
February 8, 2019
9:00 a.m.

BEFORE CHAIR CHRIS DEVENY,
BOARD MEMBERS JOHN DEARMENT,
CHRIS TWEETEN, DEXTER BUSBY,
and HILLARY HANSON

PREPARED BY: LAURIE CRUTCHER, RPR
COURT REPORTER, NOTARY PUBLIC

1 WHEREUPON, the following proceedings were
2 had and testimony taken, to-wit:

3 * * * * *

4 (Ms. Hanson not present)

5 CHAIR DEVENY: Welcome everybody to the
6 Board of Environmental Review. I'm Chris Deveny,
7 and I'm the Chair, and I'll call the meeting to
8 order. And Lindsay, would you please take roll
9 call.

10 MS. FORD: Chris Deveny.

11 CHAIR DEVENY: Here.

12 MS. FORD: Dexter Busby.

13 MR. BUSBY: I'm here.

14 MS. FORD: John Dearment.

15 MR. DEARMENT: Here.

16 MS. FORD: Chris Tweeten.

17 MR. TWEETEN: Here.

18 MS. FORD: Hillary Hanson.

19 (No response)

20 MS. FORD: Hillary is on her way. Roads
21 have not been ideal, so she will be here. Tim
22 Warner.

23 (No response)

24 MS. FORD: So we have four members
25 present. We do have a quorum.

1 CHAIR DEVENY: Let's go around and have
2 introductions to see who else might be here.
3 We'll start with George.

4 MR. MATHIEUS: George Mathieus,
5 Department liaison.

6 MS. BOWERS: Kirsten Bowers, DEQ
7 attorney.

8 MS. BOWDEN: Susan Bowden, DEQ
9 Enforcement.

10 MS. MCCARTHY: Mindy McCarthy, DEQ.

11 MR. HAYES: Ed Hayes, Acting Chief Legal
12 Counsel.

13 MR. MOSER: Kurt Moser, DEQ attorney.

14 MS. CHRISTOFFERSON: Sarah
15 Christopherson, DEQ attorney.

16 MS. SCHERER: Sandy Scherer, DEQ.

17 MR. YDE: Chris Yde, DEQ.

18 MR. WHITTAKER: Nick Whittaker, DEQ
19 attorney.

20 MR. PETTIS: Aaron Pettis, DEQ attorney.

21 MR. LONGCAKE: Brad Longcake, Montana
22 Petroleum Marketers and Convenience Stores.

23 MS. KELLEY: Myla Kelly, DEQ.

24 MS. DEVANEY: Ranie Devaney, DEQ.

25 MS. TRENK: Peggy Trenk, Treasure State

1 Resources Association.

2 MR. TIETZ: John Tietz, Browning,
3 Kaleczyc, Berry and Hoven.

4 MS. LAUGHNER: Cathy Laughner, Browning,
5 Kaleczyc.

6 MS. MARQUIS: Vicki Marquis with Holland
7 and Hart.

8 MR. LEAP: Landy Leap with Copper Ridge
9 and Reflections at Copper Ridge.

10 MS. REYNOLDS: Aimee Reynolds, DEQ.

11 MR. URBAN: Eric Urban, DEQ.

12 MR. DAVIS: Tim Davis, DEQ.

13 MR. KENNING: Jon Kenning, DEQ.

14 MS. McLAUGHLIN: Joanne McLaughlin, DEQ.

15 MR. FLEMING: Derek Fleming, DEQ.

16 MS. CLERGET: Sarah Clerget, I'm with
17 the AG's office, Counsel for the Board.

18 CHAIR DEVENY: Thank you. Are there any
19 members of the public on the telephone that would
20 like to identify themselves?

21 (No response)

22 CHAIR DEVENY: Hearing none, I think we
23 probably have everybody here. We'll move on to
24 the minutes. Are there any additions or
25 corrections to the minutes that Board members

1 would have?

2 (No response)

3 CHAIR DEVENY: Any public comment on the
4 minutes or suggestions for changes by the public?

5 (No response)

6 CHAIR DEVENY: Hearing none, would
7 someone entertain a motion.

8 MR. DEARMENT: So moved.

9 MR. BUSBY: Second.

10 CHAIR DEVENY: It's been moved and
11 seconded to approve the minutes. All those in
12 favor, signify by saying aye.

13 (Response)

14 CHAIR DEVENY: Any opposed?

15 (No response)

16 CHAIR DEVENY: Motion passes. The
17 minutes are approved. Let's see. The next order
18 of business then will be update on our contested
19 cases, and we'll turn that over to Sarah.

20 MS. CLERGET: So going through the
21 briefing items, A(1)(a) is CMG. There is a
22 scheduling order in this case, and the parties are
23 proceeding according to that scheduling order.

24 Fischer Land Development, they have come
25 to an agreement in principle. The status

1 conference is set for February 11th. I tried to
2 have it done for you before this meeting but they
3 needed a little more time. So hopefully that one
4 will be settled shortly.

5 Wagoner Family settlement was dismissed
6 with prejudice, which means that it's done. They
7 can't come back.

8 Little Bear, they were supposed to issue
9 me a status report yesterday, but that did not
10 happen, so I will be following up with them.
11 Hopefully it will be settled shortly.

12 Continuing on to two non-enforcement
13 cases, Absaloka Mine is still stayed. We're
14 waiting for the decision in MEIC and Sierra Club
15 v. DEQ and Western Energy.

16 Signal Peak, they have submitted the
17 first summary judgment motions. That's not fully
18 briefed yet, but it will be in front of me for
19 summary judgment in about a month.

20 Western Energy, I have the proposed
21 FOFCOLs, and that's ready for my decision. It
22 will be in front of you guys at the April meeting,
23 so I just want to put a plug in for everybody
24 being here in person because that's a three party
25 case, and there is going to be a lot of moving

1 pieces. So having everybody here in person would
2 be easiest.

3 MR. TWEETEN: When was that?

4 MS. CLERGET: The April meeting.

5 Montanore, their proposed FOFCOLs are due to me,
6 and we have a hearing set on them. Essentially
7 their closing arguments are set for March 22nd,
8 so that will be in front of me for decision
9 shortly.

10 Laurel Refinery I want to talk about in
11 combination with the new contested case that we
12 have, CHS, but I'll wait until we get to the new
13 contested case to talk about that.

14 (Ms. Hanson present)

15 MS. CLERGET: But essentially this is a
16 continuation. There is one of the six appealed
17 issues in the Laurel Refinery case remains on the
18 original permit in this case.

19 My understanding is that we have new
20 Counsel as well in this case, that Vicki Marquis
21 is taking over this case, so we'll discuss that
22 when we get to CHS.

23 Golden West Properties, there's a
24 scheduling order in place, and they're proceeding.

25 Columbia Falls Aluminum Company, I asked

1 the parties to be here today because I wanted them
2 to update you on the status. So I'd ask -- I
3 don't know if it's going to be Cathy or John --
4 and Kurt to tell the Board the status, current
5 status of that case.

6 CHAIR DEVENY: While we're waiting, I
7 would just note that we've been joined by Hillary
8 Hanson, Board member. Welcome.

9 MS. HANSON: Thank you.

10 MR. MOSER: Madam Chair, members of the
11 Board, I'm Kurt Moser. I represent DEQ in this
12 Columbia Falls matter.

13 If you recall, several meetings ago this
14 matter was stayed by the Board until the end of
15 February, in the transcript. That's what the
16 transcript indicated.

17 The parties have engaged in discussions
18 about the site, I believe in October, possibly
19 November -- Let's see. Yes, in October, members
20 of DEQ staff visited the site, walked over the
21 property with the representatives of CFAC.

22 As a result of that site visit, the
23 agency determined that it would no longer need to
24 have a discharge permit at the site; and because
25 of that, the agency filed a notice of intent to

1 terminate the permit on January 28th. That is
2 currently out for public notice, and the public
3 notice period for that closes on February 27th.

4 It is the agency's opinion that --
5 Again, this is the agency's opinion -- that if
6 that matter goes forward, and the permit
7 ultimately is terminated, then that would moot out
8 this case; but obviously that's the agency's
9 opinion. And I guess that's the update on the
10 case at this point.

11 MS. LAUGHNER: Good morning, Cathy
12 Laughner for Columbia Falls Aluminum Company. I
13 don't really have anything to add. We'll wait
14 until the public comment period closes. Thank
15 you.

16 MS. CLERGET: So that's your status
17 update on Columbia Falls. That completes my
18 updates. The next case is an update for DEQ to
19 make.

20 MS. BOWERS: Madam Chair, members of the
21 Board, I'm Kirsten Bowers, DEQ attorney. And I'll
22 give you an update on the MEIC versus DEQ and
23 Western Energy case that's appealed to the Montana
24 Supreme Court.

25 That matter is fully briefed before the

1 Supreme Court at this point. We just received an
2 order for oral argument, and that is set for March
3 13th at 9:30 a.m. So that's where we're at now.
4 Thank you.

5 CHAIR DEVENY: Thank you.

6 MS. CLERGET: That completes the
7 contested case update.

8 CHAIR DEVENY: Okay. Let's move on then
9 to the rule that the Department wants us to extend
10 comment period for 45 days on. So if we could
11 have a brief presentation by the Department.

12 MR. URBAN: Madam Chair, members of the
13 Board, for the record, my name is Eric Urban,
14 that's U-R-B-A-N, Bureau Chief here with the Water
15 Quality Planning Bureau, DEQ.

16 As you recall, at the December Board
17 meeting, the Board elected to initiate rulemaking
18 for six parameters in groundwater water quality
19 standards. That comment period is open and
20 completes today. Given the interest that we
21 received on this comment period, we are requesting
22 the Board extend that comment period by 45 days.

23 One thing of note is the Board packet
24 does not include an additional hearing. We would
25 like the Board to also include the second hearing

11
1 on this matter. So I guess in summary, we're
2 requesting an additional 45 days and a second
3 hearing to accommodate the interest that we've
4 received, and given that many of the stakeholders
5 are quite busy with the session. So if you have
6 any questions, I'll be available.

7 CHAIR DEVENY: We'll have questions from
8 the Board, then we'll have public comment, and
9 we'll discuss a motion.

10 MR. TWEETEN: Yes. MAPA has certain
11 deadlines in it in the rulemaking process with
12 respect to when the final adoption has to take
13 place relative to the publication of the notice
14 and intent to engage in rulemaking.

15 How does the extension fit together with
16 those deadlines? Are those deadlines
17 automatically extended if the Board votes to
18 extend the comment period, and hold another
19 hearing?

20 MR. URBAN: Yes. Madam Chair, Mr.
21 Tweeten, I'm going to look over my shoulder after
22 I answer. But the MAPA process requires us to
23 have six months generally, and either way with
24 this extension, we'll still be within that six
25 months, and that looks right.

1 MR. TWEETEN: Thank you.

2 CHAIR DEVENY: Any other questions from
3 Board members?

4 (No response)

5 CHAIR DEVENY: Are there any members of
6 the public who wish to speak on this matter? I'd
7 like you to limit it to the extension and the
8 hearing.

9 MS. MARQUIS: Certainly. Madam Chair,
10 members of the Board, my name is Vicki Marquis.
11 I'm an attorney with Holland and Hart. We
12 represent Talen Montana, who is a part owner and
13 operator of the steam electric generation facility
14 in Colstrip, Montana.

15 And groundwater remediation is of utmost
16 importance to Talen Montana. Since 2000, they've
17 spent about \$300 million on environmental
18 protection. About half of that has gone towards
19 groundwater remediation. So they take their
20 commitment to groundwater remediation very
21 seriously.

22 They also take their commitment to
23 public health very, very seriously, because most
24 of the more than 3,000 jobs at the facility
25 support our local jobs. So public health means

1 they're talking about impacts to their neighbors,
2 and their friends, and their families.

3 Talen Montana supports and is very
4 thankful for the Department's proposal for the 45
5 day extension and a second hearing. We appreciate
6 the additional time. We feel that it will help us
7 go through the information, and provide more
8 thoughtful comments to the Board.

9 We also request additional information.
10 Going through the rulemaking package, we had some
11 questions, and some more information would be more
12 helpful to us in considering the rulemaking and
13 providing good comments to this Board,
14 specifically just in four areas.

15 Briefly those are consideration of the
16 economics of waste treatment. As required by
17 Montana Code Annotated 75-5-301 subparagraph (2),
18 there needs to be consideration of the economics
19 of waste treatment and prevention when enacting
20 new water quality standards, and we didn't see
21 mention of that in the rulemaking package, so we
22 would like some more information on that, if
23 possible.

24 We also have questions about the
25 Department's analysis of the more stringent than

1 Federal requirement, and specifically how these
2 rules meet the requirements for becoming water
3 quality standards in the statute, and this is at
4 75-5-203 subparagraph 2(a) and (b). There is a
5 requirement to show that the standards will
6 protect public health, and that they will mitigate
7 the harm to public health.

8 And it is Talen Montana's understanding,
9 at least in the Colstrip area, the naturally
10 occurring background levels are higher than the
11 standard proposal, and so the standard proposal
12 does nothing to fix the naturally high background
13 levels. So our question is: How does it mitigate
14 harm to the public health?

15 The third area we have questions on is
16 what effect does this have on groundwater
17 classification. Groundwater is classified
18 numerically one through four, and at least the
19 first three classifications, one through three,
20 include some designation of use for drinking
21 water. And so if these standards go into place,
22 for example Class 1 groundwater must be maintained
23 suitable for private and public drinking water
24 with little or no treatment.

25 Again, it's our understanding that

1 background levels are higher than the standard, so
2 our question is how does that affect the
3 classification, because now treatment would be
4 required for that water to meet the standard.

5 And then our fourth and final question
6 is: How does this coincide with regulation that
7 this Board has authority to enact under public
8 water supplies? That's found at 75-6-103
9 Paragraph (2)(a).

10 And it is our understanding from the
11 Department's rulemaking package that the impetus
12 is from exposure through drinking water only, and
13 so the question is how does this dovetail with
14 public water supply regulations, and would that be
15 a more appropriate place to start.

16 Again, if we can have that information
17 at the beginning of an extended comment period,
18 that would be more helpful to us to review the
19 information, and provide thoughtful responses to
20 the Board. Thank you.

21 CHAIR DEVENY: Thank you. So the issue
22 before us today we need to -- I'm sorry. Ms.
23 Trenk.

24 MS. TRENK: I'll be quick. Madam Chair,
25 members of the Board. I'm Peggy Trenk, T-R-E-N-K,

1 here on behalf of the Treasure State Resources
2 Association. I've also been asked to extend the
3 support of the Montana League of Cities and Towns
4 and the Montana Association of Realtors for the
5 requested extension. We would appreciate the
6 additional time. Thank you.

7 CHAIR DEVENY: Thank you.

8 MR. OLSON: Good morning, Madam Chair,
9 members of the Board. For the record, my name is
10 Alan Olson. I'm the Executive Director of the
11 Montana Petroleum Association. And we, too, are
12 here to support the Department's recommendation or
13 wish to extend the rulemaking by an additional 45
14 days. Thank you, Madam Chair.

15 CHAIR DEVENY: Are there other --

16 MR. LONGCAKE: Hello, Madam Chair,
17 members of the committee. My name is Brad
18 Longcake, L-O-N-G-C-A-K-E. I'm the Executive
19 Director for the Montana Petroleum Marketers and
20 Convenience Store Association.

21 We want to thank the Department for
22 allowing us the opportunity to testify today in
23 support of the extension of 45 days. It will just
24 give us another opportunity to consult with our
25 consultants, and see what we can do to help make

1 this a better, more efficient process. So again,
2 thank you for consideration. We support the
3 amendment. Thank you.

4 CHAIR DEVENY: Are there any other
5 members of the public that wish to comment?

6 (No response)

7 CHAIR DEVENY: Any questions of the
8 Board?

9 MR. TWEETEN: Madam Chair, just an
10 observation, I guess, with respect to Talen's
11 request for information.

12 At least three ways that that can be
13 advanced. I guess one would be communicating
14 directly with the Department, and requesting that
15 information; another would be providing verbal
16 comments at the rulemaking hearing, which the
17 Department and the Board would then be required to
18 respond to in writing under MAPA; and the third
19 would be to provide those comments and requests
20 for information in writing as part of the public
21 comment on the proposed rule.

22 And again, if that was done, the Board
23 and the Department would be required to respond to
24 those requests in writing. I understand the
25 timeliness concern that you have, but pose those

1 questions to the Department, and if the
2 information isn't forthcoming, they have other
3 available remedies available to them to make sure
4 that the record reflects responses to those
5 questions.

6 CHAIR DEVENY: Thank you, Chris. I
7 would like to entertain a motion then that we
8 approve the request of the Department to extend
9 the comment period on the Administrative Rules of
10 Montana pertaining to groundwater standards
11 incorporated by reference in the Department's
12 Circular DEQ7; and also hold a second hearing for
13 this, and the comment period would be extended 45
14 days.

15 MR. TWEETEN: Madam Chair, one other
16 question, I guess. Is there a date certain that
17 the Department has in mind for a second hearing?
18 Because ordinarily the notice of rulemaking
19 includes the date of the public hearing, so that
20 all of the deadlines that line up in MAPA are
21 clearly set forth, so everybody understands. So
22 we should include that in the order if we grant
23 the request.

24 MR. URBAN: Madam Chair, Board Member
25 Tweeten, the proposed hearing would be March 19th

1 at 2:00 p.m.

2 CHAIR DEVENY: We'll include that date
3 in the motion then.

4 MR. TWEETEN: I'll move for the
5 extension and the additional hearing on the date
6 stated by the Department.

7 MR. BUSBY: I'll second.

8 CHAIR DEVENY: Probably we need to
9 assign this to the Hearing Officer then, too. Can
10 we amend that motion then to add that we're also
11 going to assign the hearing to our Hearing
12 Officer?

13 MR. TWEETEN: Sure. Certainly.

14 CHAIR DEVENY: I would propose that as
15 an amendment to the motion.

16 MR. BUSBY: I'll second.

17 CHAIR DEVENY: All those in favor then
18 -- is everybody clear what we're voting on? All
19 those in favor of the motion, please signify by
20 saying aye.

21 (Response)

22 CHAIR DEVENY: Opposed.

23 (No response)

24 CHAIR DEVENY: Motion carries. I would
25 like to thank DEQ for recognizing that you needed

1 to do the extension, and try to get things sorted
2 out before we go further on this. I'm going back
3 to Sarah now to talk about the new contested case.

4 MS. CLERGET: Yes. So this new
5 contested case, if you look at the permit number
6 under this new contested case and the permit
7 number under Item (2)(e) in the briefing item of
8 my update, you'll notice that the permit number is
9 the same; and so the obvious question is what the
10 relationship is between these two cases, and why
11 there needs to be two cases, or whether they can
12 be combined.

13 And I have put those questions to the
14 parties, and asked them to be here today to answer
15 them for you, so that you can decide whether
16 you're going to keep it, whether you're going to
17 assign it to a Hearing Examiner, and if they're
18 going to assign it to a Hearing Examiner, whether
19 it's for all purposes, or just procedural
20 purposes.

21 In making those decisions, I wanted you
22 to know whether or not it will be combined with
23 (2)(e), either substantively or for procedural
24 purposes. So with that, I'm going to turn it over
25 to the parties, if they wouldn't mind answering

1 those questions.

2 CHAIR DEVENY: Go ahead.

3 MR. MOSER: Madam Chair, members of the
4 Board, my name's Kurt Moser, and I represent the
5 agency and DEQ in the CHS matter, both the older
6 case and then the newer case.

7 Just for I guess summary purposes, the
8 original case was the appeal of the renewal of an
9 MPDES permit, so it was basically the Department's
10 action to renew the entire permit, and CHS had
11 appealed six elements of that renewal to this
12 Board; and the parties basically settled on five
13 of those.

14 This Board approved those changes, and
15 then modified the permit to account for those
16 five, so those stipulations between the parties
17 essentially in the form of consent decrees. The
18 Board issued an order in that case doing that, and
19 that remained --

20 There was one matter that remained, and
21 that matter is stayed until I believe February
22 25th. I think it is in the order with the agenda.

23 During that period of time, though, last
24 I believe -- I can't remember exactly when we
25 issued it, but it was sometime last fall, I think

1 we issued -- or late last fall, we issued a
2 modification to that permit, and then CHS appealed
3 portions of that modification to the permit, so
4 that's where we stand right now.

5 And Counsel for -- as the Hearing
6 Examiner, Board attorney noted -- the Counsel has
7 changed on that case as well, and Counsel for CHS
8 is present here, Vicki Marquis. So I guess I'm
9 open for any questions that you have at this
10 point.

11 CHAIR DEVENY: Let's hear from Ms.
12 Marquis, and then maybe we'll have questions.
13 Thank you.

14 MS. MARQUIS: Good morning, Madam Chair,
15 members of the Board. I'm Vicki Marquis here
16 representing Cenex Harvest States regarding both
17 the older appeal and the newer appeal that Mr.
18 Moser just spoke about.

19 We did file a notice of substitution of
20 Counsel -- I believe that was filed yesterday --
21 transferring the older matter to my representation
22 of Cenex Harvest States.

23 Mr. Moser described the situation
24 accurately. There were the six items. The one
25 that was stayed and was not resolved in the first

1 appeal concerned arsenic limits, and that issue
2 has also been appealed on the newly issued permit.

3 We do want to keep both of those appeals
4 going at this time. Just to be clear, that there
5 has been no break in the stay of those arsenic
6 limits. That's very important for the refinery.
7 We don't have a problem, however, with
8 consolidating these appeals for procedural
9 matters. And I'm open for any questions if you
10 have them.

11 CHAIR DEVENY: Any questions from the
12 Board?

13 (No response)

14 CHAIR DEVENY: Sarah, could we get your
15 take on how that consolidation for procedural
16 matters will work.

17 MS. CLERGET: Yes. I think it is
18 exactly that. You just say we're -- you can
19 assign the case however you want to assign it or
20 keep it, but that the cases will be combined for
21 procedural purposes.

22 CHAIR DEVENY: Does that make it more
23 straight forward for the work that you do and for
24 the Board?

25 MS. CLERGET: I think so, yes, because

1 there will be overlapping evidentiary issues that
2 are -- obviously Counsel is the same -- so to just
3 put it all in one place will I think be easier for
4 everybody to handle. Just to be clear, there's
5 still two cases, we're just dealing with them
6 together.

7 CHAIR DEVENY: Right. And does DEQ have
8 any issues with this?

9 MR. MOSER: Madam Chair, members of the
10 Board, DEQ doesn't have any issues with it. I
11 guess just as a point of clarification, there is
12 an issue, and the new case is really the appeal of
13 a major modification of a permit.

14 I guess the important part of that is
15 more of something that probably will get fleshed
16 out more through the Hearing Examiner, possibly
17 through the motion practice in the case, simply
18 because whenever there is a major modification of
19 a permit, the scope of the appeal is limited to
20 the major modification, and it is not like sort of
21 the entire piece of the permit.

22 But I believe that procedurally, I think
23 what the Board is contemplating here is acceptable
24 to the agency.

25 CHAIR DEVENY: Okay. Thank you. Board

1 questions, discussion, or suggestions for a
2 motion?

3 MR. DEARMENT: I would move we assign it
4 to Sarah as the Hearings Examiner, and combine
5 them as suggested.

6 CHAIR DEVENY: For procedural matters?

7 MR. DEARMENT: For procedural.

8 MS. CLERGET: You're assigning it to me
9 for its entirety, or just for procedural purposes?

10 MR. DEARMENT: In its entirety.

11 CHAIR DEVENY: I'll second that. Any
12 discussion?

13 (No response)

14 CHAIR DEVENY: All those in favor,
15 signify by saying aye.

16 (Response)

17 CHAIR DEVENY: Opposed.

18 (No response)

19 CHAIR DEVENY: Motion carries.

20 MS. CLERGET: We're now ready for Copper
21 Ridge, so if we need to take a five minute break
22 to let everybody set up.

23 CHAIR DEVENY: Sounds good. Let's take
24 a five minute break, and we'll take another break
25 in a little while.

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(Recess taken at 9:31 a.m.)

* * * * *

(Case BER 2015-01 WQ Reflections at Copper Ridge
and BER 2015-02 WQ

Copper Ridge Development Corporation

in separate transcript

and reconvened at 1:50 p.m.)

MS. CLERGET: I don't have anything for
your Counsel update.

CHAIR DEVENY: Does anybody from the
public wish to comment on anything other than the
contested cases we talked about today?

(No response)

CHAIR DEVENY: Seeing none, are Board
members ready to adjourn?

BOARD MEMBER TWEETEN: Move we adjourn.

BOARD MEMBER HANSON: Second.

CHAIR DEVENY: It's been moved and
seconded. All those in favor, say aye.

(Response)

CHAIR DEVENY: Opposed.

(No response)

CHAIR DEVENY: Thank you everybody for
your patience.

(The proceedings were concluded at 1:52 p.m.)

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STATE OF MONTANA)
: SS.
COUNTY OF LEWIS & CLARK)

I, LAURIE CRUTCHER, RPR, Court Reporter,
Notary Public in and for the County of Lewis &
Clark, State of Montana, do hereby certify:

That the proceedings were taken before me at
the time and place herein named; that the
proceedings were reported by me in shorthand and
transcribed using computer-aided transcription,
and that the foregoing - 26 - pages contain a true
record of the proceedings to the best of my
ability.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my notarial seal
this _____ day of _____, 2019.

LAURIE CRUTCHER, RPR
Court Reporter - Notary Public
My commission expires
March 9, 2020.

<p style="text-align: center;"><u>§</u></p> <p>\$300 - 12:17</p> <p style="text-align: center;"><u>1</u></p> <p>1 - 14:22 111 - 1:10 11th - 6:1 13th - 10:3 1520 - 1:11 19th - 18:25 1:50 - 26:7 1:52 - 26:25</p> <p style="text-align: center;"><u>2</u></p> <p>2 - 13:17 2(a - 14:4 2)(a - 15:9 2)(e [2] 20:7, 20:23 2000 - 12:16 2015-01 - 26:3 2015-02 - 26:4 2019 [3] 1:6, 1:13, 27:17 2020 - 27:22 22nd - 7:7 25th - 21:22 26 - 27:12 27th - 9:3 28th - 9:1 2:00 - 19:1</p> <p style="text-align: center;"><u>3</u></p> <p>3,000 - 12:24</p> <p style="text-align: center;"><u>4</u></p> <p>45 [7] 10:10, 10:22, 11:2, 13:4, 16:13, 16:23, 18:13</p> <p style="text-align: center;"><u>7</u></p> <p>75-5-203 - 14:4 75-5-301 - 13:17 75-6-103 - 15:8</p> <p style="text-align: center;"><u>8</u></p> <p>8 [2] 1:6, 1:13</p>	<p style="text-align: center;"><u>9</u></p> <p>9 - 27:22 9:00 - 1:14 9:30 - 10:3 9:31 - 26:1</p> <p style="text-align: center;"><u>A</u></p> <p>A(1)(a - 5:21 a.m [3] 1:14, 10:3, 26:1 Aaron - 3:20 ability - 27:14 Absaloka - 6:13 acceptable - 24:23 accommodate - 11:3 according - 5:23 account - 21:15 accurately - 22:24 Acting - 3:11 action - 21:10 add [2] 9:13, 19:10 additional [7] 10:24, 11:2, 13:6, 13:9, 16:6, 16:13, 19:5 additions - 4:24 adjourn [2] 26:15, 26:16 Administrative - 18:9 adoption - 11:12 advanced - 17:13 affect - 15:2 affixed - 27:16 AG's - 4:17 agency [4] 8:23, 8:25, 21:5, 24:24 agency's [3] 9:4, 9:5, 9:8 agenda - 21:22 agreement - 5:25 ahead - 21:2 Aimee - 4:10 Alan - 16:10 allowing - 16:22 Aluminum [2]</p>	<p>7:25, 9:12 amend - 19:10 amendment [2] 17:3, 19:15 analysis - 13:25 Annotated - 13:17 answering - 20:25 appeal [6] 21:8, 22:17, 22:17, 23:1, 24:12, 24:19 appealed [5] 7:16, 9:23, 21:11, 22:2, 23:2 appeals [2] 23:3, 23:8 appreciate [2] 13:5, 16:5 appropriate - 15:15 approve [2] 5:11, 18:8 approved [2] 5:17, 21:14 April [2] 6:22, 7:4 areas - 13:14 argument - 10:2 arguments - 7:7 arsenic [2] 23:1, 23:5 assign [7] 19:9, 19:11, 20:17, 20:18, 23:19, 23:19, 25:3 assigning - 25:8 Association [5] 4:1, 16:2, 16:4, 16:11, 16:20 attorney [8] 3:7, 3:13, 3:15, 3:19, 3:20, 9:21, 12:11, 22:6 authority - 15:7 automatically - 11:17 available [3] 11:6, 18:3, 18:3 Avenue - 1:11 aye [4] 5:12, 19:20, 25:15, 26:19</p>	<p style="text-align: center;"><u>B</u></p> <p>background [3] 14:10, 14:12, 15:1 basically [2] 21:9, 21:12 Bear - 6:8 becoming - 14:2 beginning - 15:17 behalf - 16:1 BER [2] 26:3, 26:4 Berry - 4:3 best - 27:13 better - 17:1 Board [45] 1:1, 1:5, 1:17, 2:6, 4:17, 4:25, 8:4, 8:8, 8:11, 8:14, 9:21, 10:13, 10:16, 10:17, 10:22, 10:23, 10:25, 11:8, 11:17, 12:3, 12:10, 13:8, 13:13, 15:7, 15:20, 15:25, 16:9, 17:8, 17:17, 17:22, 18:24, 21:4, 21:12, 21:14, 21:18, 22:6, 22:15, 23:12, 23:24, 24:10, 24:23, 24:25, 26:14, 26:16, 26:17 Bowden [2] 3:8, 3:8 Bowers [4] 3:6, 3:6, 9:20, 9:21 Brad [2] 3:21, 16:17 break [4] 23:5, 25:21, 25:24, 25:24 brief - 10:11 briefed [2] 6:18, 9:25 briefing [2] 5:21, 20:7 Briefly -</p>	<p>13:15 Browning [2] 4:2, 4:4 Building - 1:10 Bureau [2] 10:14, 10:15 Busby [6] 1:18, 2:12, 2:13, 5:9, 19:7, 19:16 busy - 11:5</p> <p style="text-align: center;"><u>C</u></p> <p>can't [2] 6:7, 21:24 carries [2] 19:24, 25:19 case [26] 5:22, 6:25, 7:11, 7:13, 7:17, 7:18, 7:20, 7:21, 8:5, 9:8, 9:10, 9:18, 9:23, 10:7, 20:3, 20:5, 20:6, 21:6, 21:6, 21:8, 21:18, 22:7, 23:19, 24:12, 24:17, 26:3 cases [7] 5:19, 6:13, 20:10, 20:11, 23:20, 24:5, 26:12 Cathy [3] 4:4, 8:3, 9:11 Cenex [2] 22:16, 22:22 certain [2] 11:10, 18:16 Certainly [2] 12:9, 19:13 certify - 27:7 CFAC - 8:21 Chair [63] 1:16, 2:5, 2:7, 2:11, 3:1, 4:18, 4:22, 5:3, 5:6, 5:10, 5:14, 5:16, 8:6, 8:10, 9:20, 10:5, 10:8, 10:12, 11:7, 11:20, 12:2, 12:5, 12:9, 15:21, 15:24, 16:7, 16:8, 16:14, 16:15,</p>	<p>16:16, 17:4, 17:7, 17:9, 18:6, 18:15, 18:24, 19:2, 19:8, 19:14, 19:17, 19:22, 19:24, 21:2, 21:3, 22:11, 22:14, 23:11, 23:14, 23:22, 24:7, 24:9, 24:25, 25:6, 25:11, 25:14, 25:17, 25:19, 25:23, 26:10, 26:14, 26:18, 26:21, 26:23 changed - 22:7 changes [2] 5:4, 21:14 Chief [2] 3:11, 10:14 Chris [7] 1:16, 1:18, 2:6, 2:10, 2:16, 3:17, 18:6 CHRISTOFFERSON - 3:14 Christopherson - 3:15 CHS [6] 7:12, 7:22, 21:5, 21:10, 22:2, 22:7 Circular - 18:12 Cities - 16:3 clarification - 24:11 Clark [2] 27:4, 27:7 Class - 14:22 classification [2] 14:17, 15:3 classifications - 14:19 classified - 14:17 clear [3] 19:18, 23:4, 24:4 clearly - 18:21 Clerget [13] 4:16, 4:16, 5:20, 7:4, 7:15, 9:16,</p>
---	---	---	--	---	--

10:6, 20:4, 23:17, 23:25, 25:8, 25:20, 26:8 closes [2] 9:3, 9:14 closing - 7:7 CMG - 5:21 Code - 13:17 coincide - 15:6 Colstrip [2] 12:14, 14:9 Columbia [4] 7:25, 8:12, 9:12, 9:17 combination - 7:11 combine - 25:4 combined [3] 20:12, 20:22, 23:20 comment [14] 5:3, 9:14, 10:10, 10:19, 10:21, 10:22, 11:8, 11:18, 15:17, 17:5, 17:21, 18:9, 18:13, 26:11 comments [4] 13:8, 13:13, 17:16, 17:19 commission - 27:21 commitment [2] 12:20, 12:22 committee - 16:17 communicating - 17:13 Company [2] 7:25, 9:12 completes [3] 9:17, 10:6, 10:20 computer-aided - 27:11 concern - 17:25 concerned - 23:1 concluded - 26:25 conference - 6:1 consent - 21:17 consideration [3] 13:15, 13:18, 17:2 considering -	13:12 consolidating - 23:8 consolidation - 23:15 consult - 16:24 consultants - 16:25 contain - 27:12 contemplating - 24:23 contested [8] 5:18, 7:11, 7:13, 10:7, 20:3, 20:5, 20:6, 26:12 continuation - 7:16 Continuing - 6:12 Convenience [2] 3:22, 16:20 Copper [5] 4:8, 4:9, 25:20, 26:3, 26:5 Corporation - 26:5 corrections - 4:25 Counsel [9] 3:12, 4:17, 7:20, 22:5, 22:6, 22:7, 22:20, 24:2, 26:9 County [2] 27:4, 27:6 Court [5] 1:24, 9:24, 10:1, 27:5, 27:20 CRUTCHER [3] 1:23, 27:5, 27:19 current - 8:4 currently - 9:2 <hr/> D <hr/> date [4] 18:16, 18:19, 19:2, 19:5 Davis [2] 4:12, 4:12 deadlines [4] 11:11, 11:16, 11:16, 18:20 dealing - 24:5 Dearment [7]	1:17, 2:14, 2:15, 5:8, 25:3, 25:7, 25:10 December - 10:16 decide - 20:15 decision [3] 6:14, 6:21, 7:8 decisions - 20:21 decrees - 21:17 Department [11] 3:5, 10:9, 10:11, 16:21, 17:14, 17:17, 17:23, 18:1, 18:8, 18:17, 19:6 Department's [6] 13:4, 13:25, 15:11, 16:12, 18:11, 21:9 DEQ [28] 3:6, 3:8, 3:10, 3:13, 3:15, 3:16, 3:17, 3:18, 3:20, 3:23, 3:24, 4:10, 4:11, 4:12, 4:13, 4:14, 4:15, 6:15, 8:11, 8:20, 9:18, 9:21, 9:22, 10:15, 19:25, 21:5, 24:7, 24:10 DEQ7 - 18:12 Derek - 4:15 described - 22:23 designation - 14:20 determined - 8:23 Devaney [2] 3:24, 3:24 Development [2] 5:24, 26:5 Deveny [49] 1:16, 2:5, 2:6, 2:10, 2:11, 3:1, 4:18, 4:22, 5:3, 5:6, 5:10, 5:14, 5:16, 8:6, 10:5, 10:8, 11:7, 12:2,	12:5, 15:21, 16:7, 16:15, 17:4, 17:7, 18:6, 19:2, 19:8, 19:14, 19:17, 19:22, 19:24, 21:2, 22:11, 23:11, 23:14, 23:22, 24:7, 24:25, 25:6, 25:11, 25:14, 25:17, 25:19, 25:23, 26:10, 26:14, 26:18, 26:21, 26:23 Dexter [2] 1:18, 2:12 directly - 17:14 Director [2] 16:10, 16:19 discharge - 8:24 discuss [2] 7:21, 11:9 discussion [2] 25:1, 25:12 discussions - 8:17 dismissed - 6:5 dovetail - 15:13 drinking [3] 14:20, 14:23, 15:12 due - 7:5 <hr/> E <hr/> easier - 24:3 easiest - 7:2 East - 1:11 economics [2] 13:16, 13:18 Ed - 3:11 effect - 14:16 efficient - 17:1 either [2] 11:23, 20:23 elected - 10:17 electric - 12:13 elements - 21:11 enact - 15:7 enacting -	13:19 Energy [3] 6:15, 6:20, 9:23 Enforcement - 3:9 engage - 11:14 engaged - 8:17 entertain [2] 5:7, 18:7 entire [2] 21:10, 24:21 entirety [2] 25:9, 25:10 environmental [3] 1:1, 2:6, 12:17 Eric [2] 4:11, 10:13 essentially [3] 7:6, 7:15, 21:17 everybody [9] 2:5, 4:23, 6:23, 7:1, 18:21, 19:18, 24:4, 25:22, 26:23 evidentiary - 24:1 exactly [2] 21:24, 23:18 Examiner [5] 20:17, 20:18, 22:6, 24:16, 25:4 example - 14:22 Executive [2] 16:10, 16:18 expires - 27:21 exposure - 15:12 extend [6] 10:9, 10:22, 11:18, 16:2, 16:13, 18:8 extended [3] 11:17, 15:17, 18:13 extension [8] 11:15, 11:24, 12:7, 13:5, 16:5, 16:23, 19:5, 20:1 <hr/> F <hr/> facility [2] 12:13, 12:24 fall [2] 21:25, 22:1	Falls [4] 7:25, 8:12, 9:12, 9:17 families - 13:2 Family - 6:5 favor [5] 5:12, 19:17, 19:19, 25:14, 26:19 February [6] 1:6, 1:13, 6:1, 8:15, 9:3, 21:21 Federal - 14:1 feel - 13:6 file - 22:19 filed [2] 8:25, 22:20 final [2] 11:12, 15:5 Fischer - 5:24 fit - 11:15 five [4] 21:12, 21:16, 25:21, 25:24 fix - 14:12 Fleming [2] 4:15, 4:15 fleshed - 24:15 FOFCOLs [2] 6:21, 7:5 FORD [7] 2:10, 2:12, 2:14, 2:16, 2:18, 2:20, 2:24 foregoing - 27:12 forth - 18:21 forthcoming - 18:2 forward [2] 9:6, 23:23 fourth - 15:5 front [3] 6:18, 6:22, 7:8 fully [2] 6:17, 9:25 <hr/> G <hr/> generally - 11:23 generation - 12:13 George [2] 3:3, 3:4 given [2] 10:20, 11:4 goes - 9:6 Golden - 7:23 gone - 12:18
--	---	---	--	---	---

grant - 18:22 groundwater [8] 10:18, 12:15, 12:19, 12:20, 14:16, 14:17, 14:22, 18:10 guess [9] 9:9, 11:1, 17:10, 17:13, 18:16, 21:7, 22:8, 24:11, 24:14 guys - 6:22	27:15 higher [2] 14:10, 15:1 Hillary [4] 1:19, 2:18, 2:20, 8:7 hold [2] 11:18, 18:12 Holland [2] 4:6, 12:11 hopefully [2] 6:3, 6:11 Hoven - 4:3 however [2] 23:7, 23:19	items [2] 5:21, 22:24 <hr/> J <hr/> January - 9:1 Joanne - 4:14 jobs [2] 12:24, 12:25 John [4] 1:17, 2:14, 4:2, 8:3 joined - 8:7 Jon - 4:13 judgment [2] 6:17, 6:19	23:1, 23:6 Lindsay - 2:8 local - 12:25 Longcake [4] 3:21, 3:21, 16:16, 16:18 longer - 8:23 looks - 11:25 <hr/> M <hr/> Madam [15] 8:10, 9:20, 10:12, 11:20, 12:9, 15:24, 16:8, 16:14, 16:16, 17:9, 18:15, 18:24, 21:3, 22:14, 24:9 maintained - 14:22 major [3] 24:13, 24:18, 24:20 making - 20:21 MAPA [4] 11:10, 11:22, 17:18, 18:20 March [4] 7:7, 10:2, 18:25, 27:22 Marketers [2] 3:22, 16:19 Marquis [9] 4:6, 4:6, 7:20, 12:9, 12:10, 22:8, 22:12, 22:14, 22:15 Mathieus [2] 3:4, 3:4 matter [10] 8:12, 8:14, 9:6, 9:25, 11:1, 12:6, 21:5, 21:20, 21:21, 22:21 matters [3] 23:9, 23:16, 25:6 maybe - 22:12 McCarthy [2] 3:10, 3:10 McLaughlin [2] 4:14, 4:14 means [2] 6:6, 12:25 meet [2] 14:2, 15:4 meeting [6] 1:5, 2:7, 6:2, 6:22,	7:4, 10:17 meetings - 8:13 MEIC [2] 6:14, 9:22 member [4] 8:8, 18:24, 26:16, 26:17 members [19] 1:17, 2:24, 4:19, 4:25, 8:10, 8:19, 9:20, 10:12, 12:3, 12:5, 12:10, 15:25, 16:9, 16:17, 17:5, 21:3, 22:15, 24:9, 26:15 mention - 13:21 Metcalf - 1:10 million - 12:17 mind [2] 18:17, 20:25 Mindy - 3:10 Mine - 6:13 minute [2] 25:21, 25:24 minutes [5] 4:24, 4:25, 5:4, 5:11, 5:17 mitigate [2] 14:6, 14:13 modification [5] 22:2, 22:3, 24:13, 24:18, 24:20 modified - 21:15 Montana [16] 1:2, 1:12, 3:21, 9:23, 12:12, 12:14, 12:16, 13:3, 13:17, 16:3, 16:4, 16:11, 16:19, 18:10, 27:2, 27:7 Montana's - 14:8 Montanore - 7:5 month - 6:19 months [2] 11:23, 11:25 moot - 9:7 morning [3] 9:11, 16:8, 22:14 Moser [9] 3:13, 3:13,	8:10, 8:11, 21:3, 21:4, 22:18, 22:23, 24:9 motion [12] 5:7, 5:16, 11:9, 18:7, 19:3, 19:10, 19:15, 19:19, 19:24, 24:17, 25:2, 25:19 motions - 6:17 move [5] 4:23, 10:8, 19:4, 25:3, 26:16 moved [3] 5:8, 5:10, 26:18 moving - 6:25 MPDES - 21:9 Myla - 3:23 <hr/> N <hr/> name's - 21:4 named - 27:9 naturally [2] 14:9, 14:12 needed [2] 6:3, 19:25 needs [2] 13:18, 20:11 neighbors - 13:1 newer [2] 21:6, 22:17 newly - 23:2 Nick - 3:18 non-enforcement - 6:12 none [3] 4:22, 5:6, 26:14 notarial - 27:16 Notary [3] 1:24, 27:6, 27:20 note [2] 8:7, 10:23 noted - 22:6 nothing - 14:12 notice [7] 8:25, 9:2, 9:3, 11:13, 18:18, 20:8, 22:19 November - 8:19 numerically - 14:18
<hr/> H <hr/> half - 12:18 handle - 24:4 Hanson [7] 1:19, 2:4, 2:18, 7:14, 8:8, 8:9, 26:17 happen - 6:10 harm [2] 14:7, 14:14 Hart [2] 4:7, 12:11 Harvest [2] 22:16, 22:22 having - 7:1 Hayes [2] 3:11, 3:11 health [5] 12:23, 12:25, 14:6, 14:7, 14:14 hear - 22:11 Heard - 1:10 hearing [22] 4:22, 5:6, 7:6, 10:24, 10:25, 11:3, 11:19, 12:8, 13:5, 17:16, 18:12, 18:17, 18:19, 18:25, 19:5, 19:9, 19:11, 19:11, 20:17, 20:18, 22:5, 24:16 Hearings - 25:4 Helena - 1:12 Hello - 16:16 helpful [2] 13:12, 15:18 hereby - 27:7 herein - 27:9 hereunto -	<hr/> I <hr/> ideal - 2:21 identify - 4:20 impacts - 13:1 impetus - 15:11 importance - 12:16 include [5] 10:24, 10:25, 14:20, 18:22, 19:2 includes - 18:19 incorporated - 18:11 indicated - 8:16 information [10] 13:7, 13:9, 13:11, 13:22, 15:16, 15:19, 17:11, 17:15, 17:20, 18:2 initiate - 10:17 intent [2] 8:25, 11:14 interest [2] 10:20, 11:3 introductions - 3:2 isn't - 18:2 issue [4] 6:8, 15:21, 23:1, 24:12 issued [5] 21:18, 21:25, 22:1, 22:1, 23:2 issues [4] 7:17, 24:1, 24:8, 24:10 item [2] 20:7, 20:7	<hr/> K <hr/> Kaleczyc [2] 4:3, 4:5 KELLEY - 3:23 Kelly - 3:23 Kenning [2] 4:13, 4:13 Kirsten [2] 3:6, 9:21 Kurt [4] 3:13, 8:4, 8:11, 21:4 <hr/> L <hr/> L-O-N-G-C-A-K-E - 16:18 Landy - 4:8 Laughner [4] 4:4, 4:4, 9:11, 9:12 Laurel [2] 7:10, 7:17 LAURIE [3] 1:23, 27:5, 27:19 League - 16:3 Leap [2] 4:8, 4:8 least [3] 14:9, 14:18, 17:12 Legal - 3:11 Let's [6] 3:1, 5:17, 8:19, 10:8, 22:11, 25:23 levels [3] 14:10, 14:13, 15:1 Lewis [2] 27:4, 27:6 liaison - 3:5 limit - 12:7 limited - 24:19 limits [2]	23:1, 23:6 Lindsay - 2:8 local - 12:25 Longcake [4] 3:21, 3:21, 16:16, 16:18 longer - 8:23 looks - 11:25 <hr/> M <hr/> Madam [15] 8:10, 9:20, 10:12, 11:20, 12:9, 15:24, 16:8, 16:14, 16:16, 17:9, 18:15, 18:24, 21:3, 22:14, 24:9 maintained - 14:22 major [3] 24:13, 24:18, 24:20 making - 20:21 MAPA [4] 11:10, 11:22, 17:18, 18:20 March [4] 7:7, 10:2, 18:25, 27:22 Marketers [2] 3:22, 16:19 Marquis [9] 4:6, 4:6, 7:20, 12:9, 12:10, 22:8, 22:12, 22:14, 22:15 Mathieus [2] 3:4, 3:4 matter [10] 8:12, 8:14, 9:6, 9:25, 11:1, 12:6, 21:5, 21:20, 21:21, 22:21 matters [3] 23:9, 23:16, 25:6 maybe - 22:12 McCarthy [2] 3:10, 3:10 McLaughlin [2] 4:14, 4:14 means [2] 6:6, 12:25 meet [2] 14:2, 15:4 meeting [6] 1:5, 2:7, 6:2, 6:22,	7:4, 10:17 meetings - 8:13 MEIC [2] 6:14, 9:22 member [4] 8:8, 18:24, 26:16, 26:17 members [19] 1:17, 2:24, 4:19, 4:25, 8:10, 8:19, 9:20, 10:12, 12:3, 12:5, 12:10, 15:25, 16:9, 16:17, 17:5, 21:3, 22:15, 24:9, 26:15 mention - 13:21 Metcalf - 1:10 million - 12:17 mind [2] 18:17, 20:25 Mindy - 3:10 Mine - 6:13 minute [2] 25:21, 25:24 minutes [5] 4:24, 4:25, 5:4, 5:11, 5:17 mitigate [2] 14:6, 14:13 modification [5] 22:2, 22:3, 24:13, 24:18, 24:20 modified - 21:15 Montana [16] 1:2, 1:12, 3:21, 9:23, 12:12, 12:14, 12:16, 13:3, 13:17, 16:3, 16:4, 16:11, 16:19, 18:10, 27:2, 27:7 Montana's - 14:8 Montanore - 7:5 month - 6:19 months [2] 11:23, 11:25 moot - 9:7 morning [3] 9:11, 16:8, 22:14 Moser [9] 3:13, 3:13,	8:10, 8:11, 21:3, 21:4, 22:18, 22:23, 24:9 motion [12] 5:7, 5:16, 11:9, 18:7, 19:3, 19:10, 19:15, 19:19, 19:24, 24:17, 25:2, 25:19 motions - 6:17 move [5] 4:23, 10:8, 19:4, 25:3, 26:16 moved [3] 5:8, 5:10, 26:18 moving - 6:25 MPDES - 21:9 Myla - 3:23 <hr/> N <hr/> name's - 21:4 named - 27:9 naturally [2] 14:9, 14:12 needed [2] 6:3, 19:25 needs [2] 13:18, 20:11 neighbors - 13:1 newer [2] 21:6, 22:17 newly - 23:2 Nick - 3:18 non-enforcement - 6:12 none [3] 4:22, 5:6, 26:14 notarial - 27:16 Notary [3] 1:24, 27:6, 27:20 note [2] 8:7, 10:23 noted - 22:6 nothing - 14:12 notice [7] 8:25, 9:2, 9:3, 11:13, 18:18, 20:8, 22:19 November - 8:19 numerically - 14:18

<p style="text-align: center;">O</p> <p>observation - 17:10 obvious - 20:9 obviously [2] 9:8, 24:2 occurring - 14:10 October [2] 8:18, 8:19 office - 4:17 Officer [2] 19:9, 19:12 older [3] 21:5, 22:17, 22:21 Olson [2] 16:8, 16:10 open [3] 10:19, 22:9, 23:9 operator - 12:13 opinion [3] 9:4, 9:5, 9:9 opportunity [2] 16:22, 16:24 opposed [4] 5:14, 19:22, 25:17, 26:21 oral - 10:2 order [9] 2:8, 5:17, 5:22, 5:23, 7:24, 10:2, 18:22, 21:18, 21:22 ordinarily - 18:18 original [2] 7:18, 21:8 overlapping - 24:1 owner - 12:12</p>	<p>21:12, 21:16 party - 6:24 passes - 5:16 patience - 26:24 Peak - 6:16 Peggy [2] 3:25, 15:25 period [11] 9:3, 9:14, 10:10, 10:19, 10:21, 10:22, 11:18, 15:17, 18:9, 18:13, 21:23 permit [16] 7:18, 8:24, 9:1, 9:6, 20:5, 20:6, 20:8, 21:9, 21:10, 21:15, 22:2, 22:3, 23:2, 24:13, 24:19, 24:21 pertaining - 18:10 Petroleum [3] 3:22, 16:11, 16:19 Pettis [2] 3:20, 3:20 piece - 24:21 pieces - 7:1 Planning - 10:15 please [2] 2:8, 19:19 plug - 6:23 point [4] 9:10, 10:1, 22:10, 24:11 portions - 22:3 pose - 17:25 possible - 13:23 possibly [2] 8:18, 24:16 practice - 24:17 prejudice - 6:6 PREPARED - 1:23 present [4] 2:4, 2:25, 7:14, 22:8 presentation - 10:11 prevention - 13:19 principle - 5:25</p>	<p>private - 14:23 probably [3] 4:23, 19:8, 24:15 problem - 23:7 procedural [8] 20:19, 20:23, 23:8, 23:15, 23:21, 25:6, 25:7, 25:9 procedurally - 24:22 proceeding [2] 5:23, 7:24 proceedings [6] 1:8, 2:1, 26:25, 27:8, 27:10, 27:13 process [3] 11:11, 11:22, 17:1 Properties - 7:23 property - 8:21 proposal [3] 13:4, 14:11, 14:11 propose - 19:14 proposed [4] 6:20, 7:5, 17:21, 18:25 protect - 14:6 protection - 12:18 provide [3] 13:7, 15:19, 17:19 providing [2] 13:13, 17:15 public [23] 1:24, 4:19, 5:3, 5:4, 9:2, 9:2, 9:14, 11:8, 12:6, 12:23, 12:25, 14:6, 14:7, 14:14, 14:23, 15:7, 15:14, 17:5, 17:20, 18:19, 26:11, 27:6, 27:20 publication - 11:13 purposes [6] 20:19, 20:20, 20:24, 21:7, 23:21, 25:9</p>	<p style="text-align: center;">Q</p> <p>quality [4] 10:15, 10:18, 13:20, 14:3 quick - 15:24 quite - 11:5 quorum - 2:25</p> <p style="text-align: center;">R</p> <p>Ranie - 3:24 ready [3] 6:21, 25:20, 26:15 really [2] 9:13, 24:12 Realtors - 16:4 received [3] 10:1, 10:21, 11:4 Recess - 26:1 recognizing - 19:25 recommendation - 16:12 reconvened - 26:7 record [4] 10:13, 16:9, 18:4, 27:13 reference - 18:11 refinery [3] 7:10, 7:17, 23:6 Reflections [2] 4:9, 26:3 reflects - 18:4 regarding - 22:16 regulation - 15:6 regulations - 15:14 relationship - 20:10 relative - 11:13 remained [2] 21:19, 21:20 remains - 7:17 remediation [3] 12:15, 12:19, 12:20 remedies - 18:3 renew - 21:10 renewal [2] 21:8, 21:11 report - 6:9</p>	<p>reported - 27:10 Reporter [3] 1:24, 27:5, 27:20 represent [3] 8:11, 12:12, 21:4 representation - 22:21 representatives - 8:21 representing - 22:16 request [4] 13:9, 17:11, 18:8, 18:23 requested - 16:5 requesting [3] 10:21, 11:2, 17:14 requests [2] 17:19, 17:24 required [4] 13:16, 15:4, 17:17, 17:23 requirement [2] 14:1, 14:5 requirements - 14:2 requires - 11:22 resolved - 22:25 Resources [2] 4:1, 16:1 respect [2] 11:12, 17:10 respond [2] 17:18, 17:23 response [18] 2:19, 2:23, 4:21, 5:2, 5:5, 5:13, 5:15, 12:4, 17:6, 19:21, 19:23, 23:13, 25:13, 25:16, 25:18, 26:13, 26:20, 26:22 responses [2] 15:19, 18:4 result - 8:22 review [3] 1:1, 2:6, 15:18 Reynolds [2] 4:10, 4:10 Ridge [5] 4:8, 4:9, 25:21, 26:3, 26:5 Roads - 2:20</p>	<p>roll - 2:8 Room - 1:10 RPR [3] 1:23, 27:5, 27:19 rule [2] 10:9, 17:21 rulemaking [10] 10:17, 11:11, 11:14, 13:10, 13:12, 13:21, 15:11, 16:13, 17:16, 18:18 rules [2] 14:2, 18:9</p> <p style="text-align: center;">S</p> <p>Sandy - 3:16 Sarah [6] 3:14, 4:16, 5:19, 20:3, 23:14, 25:4 saying [3] 5:12, 19:20, 25:15 scheduling [3] 5:22, 5:23, 7:24 Scherer [2] 3:16, 3:16 scope - 24:19 seal - 27:16 seconded [2] 5:11, 26:19 Seeing - 26:14 separate - 26:6 seriously [2] 12:21, 12:23 session - 11:5 settled [3] 6:4, 6:11, 21:12 settlement - 6:5 several - 8:13 shorthand - 27:10 shortly [3] 6:4, 6:11, 7:9 shoulder - 11:21 Sierra - 6:14 Signal - 6:16 signify [3] 5:12, 19:19, 25:15 simply - 24:17 site [4] 8:18, 8:20, 8:22,</p>
<p style="text-align: center;">P</p> <p>p.m [3] 19:1, 26:7, 26:25 package [3] 13:10, 13:21, 15:11 packet - 10:23 pages - 27:12 Paragraph - 15:9 parameters - 10:18 parties [7] 5:22, 8:1, 8:17, 20:14, 20:25,</p>					

<p>8:24 situation - 22:23 six [6] 7:16, 10:18, 11:23, 11:24, 21:11, 22:24 Sixth - 1:11 someone - 5:7 sometime - 21:25 sorry - 15:22 sort - 24:20 sorted - 20:1 Sounds - 25:23 speak - 12:6 specifically [2] 13:14, 14:1 spent - 12:17 spoke - 22:18 SS - 27:3 staff - 8:20 stakeholders - 11:4 stand - 22:4 standard [4] 14:11, 14:11, 15:1, 15:4 standards [6] 10:19, 13:20, 14:3, 14:5, 14:21, 18:10 start [2] 3:3, 15:15 State [5] 1:2, 3:25, 16:1, 27:2, 27:7 stated - 19:6 States [2] 22:16, 22:22 status [6] 5:25, 6:9, 8:2, 8:4, 8:5, 9:16 statute - 14:3 stay - 23:5 stayed [4] 6:13, 8:14, 21:21, 22:25 steam - 12:13 stipulations - 21:16 Store - 16:20 Stores - 3:22 straight - 23:23 stringent - 13:25 submitted - 6:16 subparagraph</p>	<p>[2] 13:17, 14:4 substantively - 20:23 substitution - 22:19 suggested - 25:5 suggestions [2] 5:4, 25:1 suitable - 14:23 summary [4] 6:17, 6:19, 11:1, 21:7 supplies - 15:8 supply - 15:14 support [5] 12:25, 16:3, 16:12, 16:23, 17:2 supports - 13:3 supposed - 6:8 Supreme [2] 9:24, 10:1 Susan - 3:8</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T-R-E-N-K - 15:25 taken [3] 2:2, 26:1, 27:8 taking - 7:21 Talen [4] 12:12, 12:16, 13:3, 14:8 Talen's - 17:10 telephone - 4:19 terminate - 9:1 terminated - 9:7 testify - 16:22 testimony - 2:2 thank [19] 4:18, 8:9, 9:14, 10:4, 10:5, 12:1, 15:20, 15:21, 16:6, 16:7, 16:14, 16:21, 17:2, 17:3, 18:6, 19:25, 22:13, 24:25, 26:23 thankful - 13:4</p>	<p>themselves - 4:20 there's [2] 7:23, 24:4 they're [3] 7:24, 13:1, 20:17 they've - 12:16 thing - 10:23 third [2] 14:15, 17:18 though - 21:23 thoughtful [2] 13:8, 15:19 Tietz [2] 4:2, 4:2 Tim [2] 2:21, 4:12 timeliness - 17:25 to-wit - 2:2 today [6] 8:1, 10:20, 15:22, 16:22, 20:14, 26:12 towards - 12:18 Towns - 16:3 transcribed - 27:11 transcript [4] 1:8, 8:15, 8:16, 26:6 transcription - 27:11 transferring - 22:21 Treasure [2] 3:25, 16:1 treatment [4] 13:16, 13:19, 14:24, 15:3 Trenk [5] 3:25, 3:25, 15:23, 15:24, 15:25 tried - 6:1 true - 27:12 turn [2] 5:19, 20:24 Tweeten [13] 1:18, 2:16, 2:17, 7:3, 11:10, 11:21, 12:1, 17:9, 18:15, 18:25, 19:4, 19:13, 26:16</p>	<hr/> <p style="text-align: center;">U</p> <hr/> <p>U-R-B-A-N - 10:14 ultimately - 9:7 understand - 17:24 understanding [4] 7:19, 14:8, 14:25, 15:10 understands - 18:21 update [9] 5:18, 8:2, 9:9, 9:17, 9:18, 9:22, 10:7, 20:8, 26:9 updates - 9:18 Urban [6] 4:11, 4:11, 10:12, 10:13, 11:20, 18:24 using - 27:11 utmost - 12:15</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>verbal - 17:15 versus - 9:22 Vicki [5] 4:6, 7:20, 12:10, 22:8, 22:15 visit - 8:22 visited - 8:20 votes - 11:17 voting - 19:18</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Wagoner - 6:5 wait [2] 7:12, 9:13 waiting [2] 6:14, 8:6 walked - 8:20 wanted [2] 8:1, 20:21 wants - 10:9 Warner - 2:22 waste [2] 13:16, 13:19 ways - 17:12 we'll [12] 3:3, 4:23, 5:19, 7:21, 9:13, 11:7, 11:8, 11:9, 11:24, 19:2, 22:12,</p>	<p>25:24 we're [9] 6:13, 8:6, 10:3, 11:1, 19:10, 19:18, 23:18, 24:5, 25:20 we've [2] 8:7, 11:3 Welcome [2] 2:5, 8:8 West - 7:23 Western [3] 6:15, 6:20, 9:23 whenever - 24:18 WHEREOF - 27:15 WHEREUPON - 2:1 whether [5] 20:11, 20:15, 20:16, 20:18, 20:22 Whittaker [2] 3:18, 3:18 wish [4] 12:6, 16:13, 17:5, 26:11 within - 11:24 WITNESS - 27:15 wouldn't - 20:25 WQ [2] 26:3, 26:4 writing [3] 17:18, 17:20, 17:24</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Yde [2] 3:17, 3:17 yesterday [2] 6:9, 22:20 yet - 6:18 you'll - 20:8</p>
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