

**BOARD OF ENVIRONMENTAL REVIEW
MINUTES
Teleconference
January 5, 2018**

Call to Order

The Board of Environmental Review's meeting was called to order by Chairperson Deveny at 9:01 a.m., on Friday, January 5, 2018, in Room 111 of the Metcalf Building, 1520 East 6th Avenue, Helena, Montana.

Attendance

Board Members Present in person: Chairperson Christine Deveny, Chris Tweeten

Board Members Present by Phone: John DeArment, Dexter Busby, John Felton

Board Members Absent: Hillary Hanson, Tim Warner

Board Attorney Present: Sarah Clerget, Attorney General's Office (AGO)

Board Liaison Present: George Mathieus

Board Secretary Present: Lindsay Ford

Court Reporter Present: Laurie Crutcher, Crutcher Court Reporting

Department Personnel Present: Jon Kenning – WQD; John North, Aaron Pettis, Kurt Moser, Mark Lucas, Norm Mullen, Kirsten Bowers – Legal

Interested & Other Persons Present: Catherine Laughner – Browning Kaleczyk Berry and Hoven; Aleisha Solem – AGO Agency Legal Services Bureau

Interested Persons Present by Phone: none

Roll was called: two Board members were present in person and three Board members were present via teleconference, providing a quorum.

I. Action Items

In the matter of Columbia Falls Aluminum Company's (CFAC) appeal of DEQ's modification of Montana Pollutant Discharge Elimination System Permit No. MT0030066, Columbia Falls, Flathead County, Montana, BER 2014-06 WQ.

Ms. Clerget briefed the Board on the purpose of the special meeting.

DEQ and CFAC both waived the demeanor of witnesses, meaning a hearing examiner can review the record of the hearing that Ben Reed conducted. Ms. Clerget gave the Board members their options, including assigning it to a hearing examiner.

Ms. Clerget, Mr. Moser and Ms. Laughner discussed and responded to questions regarding dates and scheduling.

Mr. Felton MOVED to appoint Ms. Clerget as the hearing examiner, both for purposes of procedure and the findings of conclusions. Chairperson Deveny SECONDED. Mr. Busby stated he felt the Board should obtain outside counsel. Ms. Laughner stated she had no objection to Ms. Clerget as the hearing examiner on the case. The motion PASSED unanimously.

II. General Public Comment

None were offered.

III. Adjournment

Mr. Tweeten MOVED to adjourn. Chairperson Deveny SECONDED. The motion PASSED unanimously. The meeting was adjourned at 9:25 a.m.

Board of Environmental Review January 5, 2018, minutes approved:

CHRISTINE DEVENY
CHAIRPERSON
BOARD OF ENVIRONMENTAL REVIEW

DATE