

**BOARD OF ENVIRONMENTAL REVIEW
October 2, 2026, 9:00 AM
SPECIAL MEETING
DEQ ZOOM CONFERENCE**

NOTE: Board members, the Board attorney, and secretary will be participating electronically. Interested persons, members of the public, and the media are welcome to attend via Zoom or telephonically. 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 deqbersecretary@mt.gov, no less than 24 hours prior to the meeting to advise her of the nature of the accommodation needed.

9:00 AM

I. ACTION ITEMS

In the Matter of: Notice of Appeal and Request for Hearing Regarding Rosebud Mine Area B Amendment 5 Permit Number C1984003B, BER 2022-05 SM

The Board will hear oral arguments, discuss, and vote on the following motions:

Conservation Groups' Motion in Limine

Westmoreland's Motion in Limine to Excluded Testimony on Decided Issues

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 for the meeting. Individual contested case proceedings are not public matters on which the public may comment.

III. ADJOURNMENT