



**BOARD OF ENVIRONMENTAL REVIEW  
MEETING MINUTES**

**APRIL 25, 2025**

**Call to Order**

Chair Simpson called the meeting to order at 9:00 a.m.

**Attendance**

**Board Members Present**

Chair Dave Simpson; Vice Chair Stacy Aguirre; Board Members Amanda Knuteson, Jennifer Rankosky, and Joe Smith.

Board member Julia Altemus was not present.

Roll was called and a quorum was present.

**Board Attorney Present**

Terisa Oomens

**DEQ Personnel Present**

Board Secretary: Sandy Moisey Scherer

Board Liaison: DEQ Deputy Director James Fehr

DEQ Director Sonja Nowakowski

DEQ Communications: Emma Gronda, Mae Vader

DEQ Legal: Catherine Armstrong, Jeremiah Langston, Sam King, Isabelle Nebel, and Nick Whitaker

DEQ Air, Energy and Mining: Josh Bridgeman, Alli Calkins, Ric Casteel, Eric Dahlgren, Emily Lodman, Brian Schrage, and Dan Walsh

DEQ Enforcement: Carli Bluhm, Chad Anderson

**Other Parties Present**

Laurie Crutcher, Crutcher Court Reporting

Elena Hagen – Montana DOJ Agency Legal Services Bureau

Matt Guptill, Sabrina Temple – Decker Coal Company

Samuel Yemington – Holland & Hart

Morgan Pettit, Vicki Marquis – Crowley Fleck

Todd Briggs, Bob Smith – Westmoreland Mining

## I. ACTION ITEMS

Chair Simpson asked the parties to explain why the matters before the Board today are or are not contested case hearings. Sam King of DEQ, and Vicki Marquis of Crowley Fleck provided a briefing. Discussion ensued.

a. **In the Matter of: Decker Coal Company's Request for Hearing Regarding Permit C1983007 (East Decker Mine), BER 2025-02 SM.**

Chair Simpson proceeded with the hearing regarding Decker Coal's motion to suspend abatement requirements of the Notice of Noncompliance. Counsel for the parties engaged in oral argument.

Vice Chair Aguirre motioned to DISAPPROVE the motion to suspend abatement requirements. Board member Knuteson SECONDED. Discussion ensued. The motion PASSED unanimously.

Chair Simpson motioned that the abatement order be MODIFIED to extend the abatement period for 90 days, recognizing that it's taken 90 days for the Board to get to this point. The motion died for lack of a second.

b. **In the Matter of: Decker Coal Company's Request for Hearing Regarding Permit C1987001C (West Decker Mine), BER 2025-01 SM.**

Several board members indicated that they had other meeting obligations would not be able to continue. Without these Board members, there would not be a quorum. Chair Simpson asked the parties what their preferences would be for proceeding with oral argument on West Decker.

Both Sam King of DEQ, and Vicki Marquis of Crowley Fleck indicated that they would be comfortable in taking up this issue at the next Board meeting.

Vice Chair Aguirre motioned to MOVE the matter regarding West Decker to the next regularly scheduled Board meeting. Board member Rankosky SECONDED. The motion PASSED unanimously.

## II. ADJOURNMENT

Board member Smith MOVED to adjourn the Special Board Meeting; Board member Rankosky SECONDED. The motion PASSED unanimously. The meeting was adjourned at 12:55 P.M.

Board of Environmental Review April 25, 2025, minutes approved:

/s/ David Simpson  
DAVID SIMPSON  
CHAIR  
BOARD OF ENVIRONMENTAL REVIEW  
  
June 20, 2025  
DATE