

## Opencut Mining Stakeholder Meeting Minutes

March 18, 2025

**Opencut Mining:** Erick Tackett, Whitney Bausch, Madeline VerWey, JJ Connor, Blayne Ehlke, Carly Russell, Anne Spezia, Elizabeth Smith, Bailey Tasker

**DEQ:** Eric Dahlgren

**Stakeholders:** Laura Lundquist, Walt Ludlow, J Westenberg, Bayard Black, M Olsen, Mike Newton, Carissa Shilling – BLM Miles City Field Office, Guy Slaybaugh, Stephen Coe, Russell Batie, Rob Koelzer, Brian Nickel – Knife River, Nick Sovner, Ken Murphy, Cale Fisher, Shelby Sanders, Dot Van Oss, Todd Briggs, Stacy Hill – Riverside Contracting Inc, Dustin Martens, Joe Smith, Issabelle Sichel, Micheal Bacon, Michael Smith – WGM, Sam Keeran, D Call, Shumaker Trucking

- DEQ Update and Discussion
  - Staffing Update
    - Eric Tackett – Scientist (Started October 2024)
    - Ruby Hopkins – Left the Program (January 2025)
    - Jessica Kutz – Scientist (Started March 2025)
    - New leadership – Sonja Nowakowski, Dan Walsh, and Eric Dahlgren have taken new positions
  - Permitting
    - Permitting data compiled from 2023 – 2025
    - Comparing applications received from listed years
      - Statutory, Non-Statutory and Referred Complaints
  - Annual Production Reports
    - Updated the correspondence
      - Sent reports to 477 operators,
      - Scheduled to send administrative deficiency letters to 111 operators
      - Violation letters go out April 21<sup>st</sup> and referred to enforcement may 26.
  - Proposed Changes to Applications
    - Optional MEPA questions have been delayed until legislative session, MEPA bills are in process
    - We notify when our forms have been updated, we send an email to the stakeholder list and operator list
    - Reminder to download the newest forms every submittal
  - Questions (Form updates):
    - Updates occur on a quarterly basis
  - Release Requests
    - Bailey
      - Release Requests are completed in tow phases, release request requirements, they may require inspections

- Common deficiencies on releases,
      - Missing information, lack of information, missing photos, lack of vegetation, incorrect land use
- Public Participation
  - The public comment period is throughout the permitting process,
  - The operator is responsible for public notification
  - Operators can request public comments about their site at any time throughout the permitting process
  - DEQ reviews all comments we receive
- Inspection Season
  - Focusing on dryland sites, sites with no reclamation dates and others
  - Maintain a relationship with landowners
- Stakeholder Input
  - Mike Newton, Inspections
    - Inspections completed in a more convenient manner. Worried about permitting timeline, usage of tax payer dollars
      - Trips will be planned accordingly, and the new sites will be matched with normal inspections to ensure applications followed through with.
    - Increase in inspections
      - Multiple sites have been unvisited, there have been violations issued and there is a field presence needed
    - Is the plan to notify operators of inspections
      - We try to notify the operator if available, not always the consultants.
- Planning
  - Action Items
    - Rob Koelzer, Update on electronic permitting.
      - Reviewing options that are available, opencut is difficult to tailor
  - Future Topics
    - Cale Fisher, Annual inventory reports
      - Dollar amount on the fees received as well as the material that has been moved from permitted sites
      - Data points from the APR's
    - Bryan Nichol, Update on legislature items effecting Opencut in the next meeting
      - MEPA updates would be the most probable