

Shannon Anderson (Wyo. Bar # 6-4402)
Powder River Basin Resource Council
934 N. Main St., Sheridan, WY 82801
(307) 672-5809
sanderson@powderriverbasin.org

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN RE BROOK MINE APPLICATION)
) **DOCKET 17-4802**
TFN 6 2-025)

EXPERT WITNESS DISCLOSURES

Pursuant to the March 13, 2017 scheduling order, the Powder River Basin Resource Council (“Resource Council”) hereby provides the following disclosures regarding expert witnesses who will appear in the above-captioned proceedings. These disclosures are made in accordance with Wyoming Rule of Civil Procedure 26(a)(2). All final exhibits and witnesses will be named no later than noon on May 17, 2017.

1. Gennaro G. Marino Ph.D., P.E., D.GE

Dr. Marino will present testimony on the subsidence risk presented by the mine and reclamation plan and will identify deficiencies in the permit application related to subsidence evaluation and prevention. A copy of Dr. Marino’s report was originally attached to the Resource Council’s objections and filed with DEQ at that time. Given the size of some of the exhibits to the report, it is unable to be attached to these disclosures but a complete version of his report is available for downloading via Dropbox at:

<https://www.dropbox.com/s/80ctznf4mcau8uc/RAMBM%20Report%20012317.pdf?dl=0>

Dr. Marino will present the opinions discussed in the report and other opinions related to subsidence he has drawn from reviewing the permit application.

Dr. Marino is the President of Marino Engineering Associates, Inc. with an office at 1370 McCausland Ave, St. Louis, MO 63117. Dr. Marino is a registered Professional Engineer in Wyoming. Dr. Marino's bio and list of professional qualifications is available at <http://www.meacorporation.com/leadership.php>. This information states, in part, that Dr. Marino has given expert testimony on numerous occasions within his range of engineering experience. Also during the course of his career he has authored over 90 articles and research publications on advanced engineering projects and authored a textbook: Earthquake Damage: Inspection, Evaluation and Repair. A copy of Dr. Marino's *curriculum vitae* is attached to these disclosures.

Dr. Marino will be compensated by the Resource Council for his time and travel expenses.

2. Mickel Wireman M.S., P.G.

Mr. Wireman will provide opinions related to the hydrology aspects of the permit application, including the sufficiency of the water monitoring plan, impacts to the hydrologic balance within and outside the permit area, and impacts to alluvium and alluvial valley floors. A copy of the report he has prepared is provided with these disclosures.

Mr. Wireman is the President of Granite Ridge Groundwater, LLC in Boulder, Colorado, and he is a former hydrogeologist and National Groundwater Expert with the Environmental Protection Agency's Region VIII Office in Denver. A copy of his *curriculum vitae* is attached.

Mr. Wireman has let his Wyoming geologist registration lapse, but he has associated with Wyoming professional geologist Sue Ann Spencer for the purposes of his testimony. Ms.

Spencer has provided a certification that she has reviewed Mr. Wireman's findings and that she finds them compliant with the standards of a professional geologist in Wyoming.

Mr. Wireman will be compensated by the Resource Council for his time and travel expenses.

3. Stu Levit, M.S.

Mr. Levit will present testimony on the inadequacies in the reclamation bond amount. Mr. Levit does not have an expert report; however, his opinions related to the reclamation bond amount were incorporated into the Resource Council's objections.

Mr. Levit is an employee of Center for Science in Public Participation with an office at 224 North Church Avenue, Bozeman, MT 59715. Mr. Levit formerly worked for the Montana Department of State Lands, Abandoned Mine Reclamation Bureau as a Land Reclamation Specialist, where he designed mine reclamation project plans. Mr. Levit's professional qualifications are available for review at <http://www.csp2.org/expertise>.

Dated this 3rd day of April, 2017.

/s/ Shannon Anderson
Shannon Anderson
Powder River Basin Resource Council
934 N. Main St., Sheridan, WY 82801
(307) 672-5809
sanderson@powderriverbasin.org

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2017, I served a copy of the foregoing **EXPERT WITNESS DISCLOSURES** on the following parties by electronic mail, and through the EQC's electronic filing system, which will send a notice of electronic filing to all counsel and parties of record.

Andrew Kuhlmann
James LaRock
Wyoming Attorney General's Office
andrew.kuhlmann@wyo.gov
james.larock@wyo.gov
Attorneys for DEQ

Todd Parfitt
Director, DEQ
todd.parfitt@wyo.gov

Jeff Pope
Isaac Sutphin
Thomas Sansonetti
Holland and Hart, LLP
JSPope@hollandhart.com
INSutphin@hollandhart.com
TLSansonetti@hollandhart.com
Attorneys for Brook Mining Co., LLC

Lynne Boomgaarden,
Clayton Gregersen
Crowley Fleck PLLP
lboomgaarden@crowleyfleck.com
cgregersen@crowleyfleck.com
Attorneys for Big Horn Coal Co.

Jay Gilbertz
Yonkee & Toner, LLP
jgilbertz@yonkeetoner.com
Attorney for Mary Brezik-Fisher & David Fisher

/s/Shannon Anderson
Shannon Anderson