

Shannon Anderson (Wyo. Bar No. 6-4402)
Powder River Basin Resource Council
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BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

In re Brook Mining Co., LLC coal mine)
permit – PT0841) EQC Docket No. 20-4802
)
)
)

**POWDER RIVER BASIN RESOURCE COUNCIL
DESIGNATION OF EXPERT WITNESS**

By and through its undersigned counsel, and pursuant to the scheduling order in this above-captioned proceeding, the Powder River Basin Resource Council hereby designates the following expert witness who will appear in the above-captioned proceedings. Expert disclosures made pursuant to W.R.C.P. 26(a)(2) are provided to the parties as part of this filing.

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

Dr. Marino will present testimony on the subsidence risk presented by the mine plan and will discuss his expert report that identifies deficiencies in the permit application related to subsidence evaluation and prevention. A copy of Dr. Marino’s report was attached to the Resource Council’s Petition for Hearing and was originally filed with DEQ as part of the Resource Council’s objections and comments on the mine permit application. 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 the DEQ’s website:

<http://lq.wyomingdeq.commentinput.com/comment/extra?id=ADuPG> It also available for

download via Dropbox at

<https://www.dropbox.com/s/uu46zrs3au07zwt/Review%20of%20Brook%20Mine%20Application%20-%20Rounds%208%20to%2012.pdf?dl=0>

It is our understanding that DEQ provided a copy to Brook as part of the public comment and hearing process.

At the hearing, Dr. Marino plans to present the opinions discussed in the report and other opinions related to subsidence he has drawn from reviewing the permit application. If necessary, he will also provide responses to any expert reports and information provided by Brook and DEQ related to subsidence.

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. Dr. Marino previously testified before the EQC in June 2017 as part of the previous contested case hearing proceedings. 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 list of papers and publications by Dr. Marino is available at: <http://meacorporation.com/news-media/papers-and-publications/> Dr. Marino and his associates also publish technical bulletins, which are available on their website: <http://meacorporation.com/project-investigation-bulletin/>

Dr. Marino will be compensated by the Resource Council for his time and travel expenses. The Resource Council has compensated Dr. Marino and his associates \$19,513 thus far

for their time reviewing the permit application since the October 2018 revision, preparing the expert report submitted with the Resource Council's April 2020 comments, and participating in the informal conference May 13, 2020. Dr. Marino currently bills the Resource Council for his time at \$154/hr.

Respectfully submitted this 30th day of September, 2020.

/s/ Shannon Anderson
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 30th day of September, 2020, the foregoing EXPERT WITNESS DESIGNATION was served on the following parties via the Environmental Quality Council's electronic docket system.

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