

proceedings, and the decisions he made with regard to the application. He will testify generally about the procedures the Department employs when reviewing and approving or denying applications. He will testify about the requirements of the Environmental Quality Act and the applicable rules. He will testify about his knowledge, observations, and opinions regarding the application and the Department's review and processing of the application.

In particular, he will testify based upon his education, training, and experience and his review of the application, that the application is complete and technically sufficient, that the application was properly processed by the Department, and that the application complies with the Environmental Quality Act and applicable law. He will explain that there is no basis for the Director or the Administrator to deny the permit at issue under state law and regulations. Ultimately, he will testify that the objections raised in these proceedings have no merit, and that the Council should affirm his recommendation to grant the permit at issue to Black Hills Bentonite.

Mr. Wendtland may also rebut any opinions or evidence offered by any other party.

2. Mr. Mark Rogaczewski, District 3 Supervisor, Land Quality Division, Wyoming Department of Environmental Quality, 200 W. 17th St., Suite 10, Cheyenne, Wyoming 82002.

Mr. Rogaczewski is a Supervisor of the Land Quality Division of the Department of Environmental Quality for the District where the mine at issue is located. Mr. Rogaczewski may testify about his education, training and experience, his duties as Supervisor, his role and review of the application at issue in these proceedings, and the

recommendations he made with regard to the application. He may testify about the requirements of the Environmental Quality Act and the applicable rules for applications. He may testify about his knowledge, observations, and opinions regarding the application and the Department's review and processing of the application.

Mr. Rogaczewski may also rebut any opinions or evidence offered by any other party.

3. Mr. Kyle Todd, Natural Resources Analyst, Land Quality Division, Wyoming Department of Environmental Quality, 200 W. 17th St., Suite 10, Cheyenne, Wyoming 82002.

Mr. Todd is a Natural Resources Analyst in the Land Quality Division of the Department of Environmental Quality. Mr. Todd may testify about his education, training and experience, his duties as Natural Resources Analyst, his role and review of the application at issue in these proceedings, and the recommendations he made with regard to the application. He may testify about the requirements of the Environmental Quality Act and the applicable rules for applications. He may testify about his knowledge, observations, and opinions regarding the application and the Department's review and processing of the application.

Mr. Todd may also rebut any opinions or evidence offered by any other party.

The Department reserves the right to call any of the witnesses identified by any other party, or any additional witnesses necessary for foundation, impeachment, or rebuttal.

DATED this 1st day December, 2022.



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CERTIFICATE OF SERVICE

I certify that on this 1st day of December, 2022, I electronically filed the forgoing with the Environmental Quality Council and served all parties using the Environmental Quality Council's electronic notification. The following individual was served via U.S. Mail:

Tara Wineteer
11 Lake Court
Pine Haven, WY 82721



Cheryl Lobb, Paralegal
Wyoming Attorney General's Office