

WWAB Meeting

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WYOMING WATER AND WASTE ADVISORY BOARD

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RE: WWAB MEETING PROCEEDINGS  
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TRANSCRIPT OF WWAB MEETING PROCEEDINGS

Pursuant to notice duly given to all parties in interest, this matter came on for meeting on the 29th day of June, 2021, at the hour of 9:05 a.m., before the Wyoming Water and Waste Advisory Board. Mr. Alan Kirkbride, Chairman, presiding, with Mr. James Cochran in attendance, and Mr. Brian Deurloo and Ms. Lorie Cahn also in attendance virtually.

MR. Matt VanWormer, Attorney for the Board appearing virtually; Ms. Jennifer Zygmunt, Acting Water Quality Administrator; Mr. Jerry Breed, Matt Buchhols, Cindi Martinez and Carol Stark, Hazardous Waste and Voluntary Remediation Program; and Ms. Gina Thompson, Water Quality Division, were also in attendance, as well as various members of the public.

1 P R O C E E D I N G S

2 (Meeting proceedings commenced

3 9:05 a.m., June 29, 2021.)

4 CHAIRMAN KIRKBRIDE: Well, I would call  
5 it -- call this meeting to order. And it would seem like  
6 the first thing to do is to identify who's here.

7 MS. THOMPSON: Yes.

8 CHAIRMAN KIRKBRIDE: I'm Alan Kirkbride,  
9 chairman of the Board.

10 And to my right.

11 BOARD MEMBER COCHRAN: Jim Cochran  
12 representing local government.

13 CHAIRMAN KIRKBRIDE: Okay. And we can go  
14 anywhere.

15 MS. STARK: Yes. I don't know if I should  
16 sit down or not. I'm Carol Stark, and I will be presenting  
17 the hazardous waste rules, and I'll introduce myself again  
18 when we get started.

19 MS. THOMPSON: I think you all know me.  
20 It's Gina Thompson with Water Quality Division. And  
21 then --

22 MS. MARTINEZ: Cindi Martinez, Solid and  
23 Hazardous Waste in Cheyenne.

24 MR. BREED: I'm Jerry Breed with the  
25 Hazardous Waste and Voluntary Remediation Program.

1 MR. BUCHHOLZ: I'm Matt Buchholz. I'm also  
2 with the Hazardous Waste Program.

3 MS. ZYGMUNT: Good morning, I'm Jennifer  
4 Zygmunt. I'm the acting administrator for the Water  
5 Quality Division.

6 CHAIRMAN KIRKBRIDE: And online we have?

7 BOARD MEMBER DEURLOO: Good morning. I'm  
8 Brian Deurloo. Good morning. I'm Brian Deurloo. I  
9 represent industry on the Water and Waste Advisory Board.

10 BOARD MEMBER CAHN: I'm Lorie Cahn. I  
11 represent the public at large on the Board.

12 MS. THOMPSON: Looks like we have some  
13 attorneys with us today. And the attorneys will -- we can  
14 ask them to jump in if we -- if we need to.

15 Then it looks like we also have some members from  
16 the public on there as well today.

17 CHAIRMAN KIRKBRIDE: All right. Okay.  
18 Well, welcome to everyone.

19 Gina, anything we need to deal with before we  
20 turn it over to Water Quality?

21 MS. THOMPSON: No, I don't believe so, sir.

22 CHAIRMAN KIRKBRIDE: All right. Well, why  
23 don't we proceed there.

24 MS. ZYGMUNT: Thank you, Mr. Chairman.  
25 Good morning. Again, my name is Jennifer Zygmunt, acting

1 administrator for the Water Quality Division.

2 First, just a couple of staffing updates so you  
3 know of changes here at DEQ. I think everyone is aware  
4 that Kevin Frederick, our previous administrator, retired  
5 on May 4th. I stepped in as acting, and the permanent  
6 position, we should know in the next couple months who will  
7 get the permanent position. So, obviously, that's a big  
8 transition for us. Kevin was here I think 32 years, so  
9 quite a long time.

10 And then, secondly, in case you have not heard,  
11 Rich Cripe our water and wastewater section manager took a  
12 position in the private sector. Bill Tillman is currently  
13 serving as the interim water and wastewater section  
14 manager. And we also posted that position and hope to hire  
15 somebody permanently in the next couple months.

16 So we plan to bring Chapter 22 before you today.  
17 And I just appreciate the opportunity to give you a  
18 briefing on where we're at with that chapter and why  
19 there's been a change in plans.

20 Chapter 22 is our capacity development standards  
21 for public water supplies. Capacity development is an  
22 important part of our SRF program. Public entities using  
23 drinking water SRF funds must meet capacity development  
24 requirements. Our capacity development program evaluates  
25 the technical, financial and managerial resources of

1 certain public water systems. And demonstration of  
2 capacity development means that a public water system will  
3 have adequate resources to operate that system in the long  
4 term, ensure that drinking water supplies are provided to  
5 their customers.

6 So Chapter 22 lists the requirements for capacity  
7 development. And, again, public water supplies must meet  
8 those requirements in order to apply for drinking water SRF  
9 funds or permits to construct.

10 The federal America's Water Infrastructure Act of  
11 2018 added federal SRF programs that required states to add  
12 asset management into their capacity development  
13 requirements. Asset management in brief just means that  
14 public water supplies need to have a long-term plan in  
15 place to ensure that they can operate the system and manage  
16 their infrastructure, again, to provide in the long-term  
17 drinking water supply to their customers.

18 So states are required to incorporate asset  
19 management into their capacity development strategies by  
20 the end of this year, December 2021. And we originally  
21 felt that Chapter 22 was the place to incorporate those  
22 asset management requirements. 22 is really the foundation  
23 for our capacity development requirements, but we also have  
24 a separate strategy planning document that was originally  
25 drafted in 2000 and approved by EPA in 2000.

1           Now after further conversation with EPA Region 8,  
2 we determined that the best place to incorporate these  
3 asset management requirements required by the America's  
4 Water Infrastructure Act of 2018 is actually going to be in  
5 that capacity development strategy document and not a rule.

6           The federal requirements do not require that we  
7 update Chapter 22. And incorporating those requirements  
8 into the strategy document will give us the flexibility we  
9 need to apply asset management requirements to all the  
10 public water systems that we need to be addressing with  
11 those requirements.

12           So that is our plan moving forward. The only  
13 other revisions that we had proposed to Chapter 22 would  
14 have been our standard Attorney General edits to streamline  
15 the chapter, reduce redundancy, add clarity. But given  
16 that the asset management requirements were the only  
17 substantive change and the main driver for why we're  
18 opening that rule, we did not feel the Attorney General  
19 edits at this time were enough reason to keep the rule  
20 moving forward.

21           So at this time we've pulled that chapter from  
22 the rulemaking division process, and we're going to be  
23 working with EPA and stakeholders to update our strategy  
24 document by the end of this year. And, again, that will  
25 suffice to meet the federal requirements we need to meet in

1 order to continue our SRF funding for drinking water  
2 facilities.

3 So that's a briefing that I wanted to propose to  
4 you today. Again, 22, we don't have any reason to revise  
5 it at this point. We will meet the federal requirements  
6 through our strategy document.

7 At this time we don't have anything planned for  
8 third quarter, so we will look forward to seeing you  
9 probably in the fourth quarter with our next rulemaking  
10 package. So that's what I wanted to pass on to folks  
11 today, but, Mr. Chairman, I'd be happy to answer any  
12 questions I can.

13 CHAIRMAN KIRKBRIDE: Well, I have one.

14 MS. ZYGMUNT: Okay.

15 CHAIRMAN KIRKBRIDE: And put it in lay --  
16 to put this in layman's terms, these rules as to asset  
17 management is to make sure we got enough water; is that  
18 right?

19 MS. ZYGMUNT: Yeah, asset -- let me -- so  
20 the definition is kind of a wordy definition. But asset  
21 management is more of a planning exercise to develop a  
22 long-term plan to sustain the systems and services that  
23 these drinking water facilities provide.

24 CHAIRMAN KIRKBRIDE: Okay.

25 MS. ZYGMUNT: Ensuring that you have the

1 maintenance, ensuring you have the infrastructure,  
2 inventory, your equipment, and making sure that you got a  
3 plan so that, you know, 10, 20 years from now you can  
4 operate and maintain the system.

5 CHAIRMAN KIRKBRIDE: Okay. Very logical.  
6 And I'm curious about is this the -- is this not anywhere  
7 else, and has this not existed, this kind of information?

8 MS. ZYGMUNT: You know, my understanding is  
9 that it's probably been inherent and kind of commonsense  
10 planning for these utilities, but it was called out  
11 specifically in the water infrastructure act of 2018, and  
12 hence needing to put language in as -- calling that out  
13 specifically as part of capacity development.

14 I don't know the full history, but I can look  
15 into a better answer for you, Mr. Chairman, about what  
16 existed prior to asset management.

17 MS. THOMPSON: So, Mr. Chairman, the  
18 systems in -- that are subject to the rule and subject to  
19 this strategy have always had to demonstrate like  
20 technical, managerial and --

21 MS. ZYGMUNT: Financial.

22 MS. THOMPSON: -- financial capabilities to  
23 handle their system.

24 So this actually isn't a water quality like what  
25 does your water look like and how you do your water. It's



1 in addition to you want to operate a water system, do you  
2 have the basic skills to make sure that that, you know --  
3 that that enterprise is sustainable over the long-term.  
4 And especially if you're asking the State for funds in  
5 order to do an upgrade or to fix a problem, can we trust  
6 that you're good with -- that you're a good manager of your  
7 resources to where you'll be able to pay that loan back.

8           And I think that in Wyoming, we do not experience  
9 a lot of difficulty with this. It is commonsensical. I  
10 think there are regions around the country that maybe they  
11 were not being managed as well, and it was burdensome to  
12 the customer where, you know, I -- I just need my water and  
13 my supplier cannot get their act together. And so the  
14 government stepped in, like they do sometimes.

15           So it's more of a -- it's a federal initiative.  
16 The rule has been in place since '99. Our strategy's been  
17 in place since '99 or 2000. And it's just like a quiet  
18 little engine that putters on in the background. It's  
19 not -- it's not an exciting rule that we talk about a lot.  
20 And this would have been our first revision to it since  
21 '99. But our Division works very closely with the Office  
22 of State Lands and Investments and the Water Development  
23 Office, and, you know, they're kind of administering this  
24 rule and implementing it, you know, on a monthly basis when  
25 we meet with them to talk about loan requests for water

1 systems, so...

2 MS. ZYGMUNT: And to add to that, one thing  
3 I forgot to note in my briefing is we did submit this  
4 revised rule to public notice earlier this year, I believe  
5 in March or April --

6 MS. THOMPSON: Yes.

7 MS. ZYGMUNT: -- and we did not receive any  
8 comments. As we update our strategy document, we will have  
9 stakeholder input associated with updating that document.  
10 We'll be reaching out to folks like the Rural Water  
11 Association, probably the Wyoming Association of  
12 Municipalities, to allow them time to provide input. But  
13 so far we haven't had any concern from our stakeholders on  
14 the proposed revisions or the new federal requirements.

15 CHAIRMAN KIRKBRIDE: Good answers. Thank  
16 you.

17 Does anyone else have a question relative to this  
18 issue?

19 All right. Thank you.

20 MS. ZYGMUNT: Thank you very much.

21 Thanks, Gina.

22 MS. THOMPSON: Thank you.

23 CHAIRMAN KIRKBRIDE: I believe we can move  
24 on to Item 3.

25 MS. THOMPSON: That's right.

1           Jerry, when Jennifer moves, would you like to  
2 introduce yourself and I'll work on getting your slides  
3 ready.

4           MR. BREED: Good morning, Mr. Chairman and  
5 Board Members. Appreciate your time and the opportunity to  
6 present the update to our Hazardous Waste rules and  
7 regulations that are incorporation by reference that are  
8 new regulations from EPA that we need to incorporate.

9           I'm Jerry Breed, Program Manager For Hazardous  
10 Waste and Voluntary Remediation Program. Carol Stark,  
11 she's pretty much in charge of our rulemaking and keeps us  
12 up to date in working with EPA. So she'll be doing  
13 presentation. Cindi's introduced herself, and Matt's  
14 introduced himself.

15           And online, program manager for inspection and  
16 compliance in Solid & Hazardous Waste division is Bob  
17 Breuer. And since these are really rules targeted toward  
18 hazardous waste generators, Bob's an expert in that. So if  
19 you have -- you know, really detailed questions, he'll be  
20 able to answer those.

21           And then also Matt VanWormer is our AG, and he's  
22 online as well if there's some questions about how we  
23 changed our rules in terms of formatting, things like that.

24           And with that, Mr. Chairman --

25           CHAIRMAN KIRKBRIDE: You may proceed.

1 MS. STARK: Wonderful. Wonderful.

2 Mr. Chairman and Board Members.

3 I -- as Jerry introduced, my name is Carol Stark.  
4 I'm officially a Voluntary Remediation Project Manager, but  
5 kind of unofficially the Hazardous Waste Rules Coordinator  
6 for the DEQ Solid and Hazardous Waste Division. Thank you  
7 for hearing our presentation on the proposed adoption of  
8 the Hazardous Waste rules revisions for the great state of  
9 Wyoming. I think this is -- this is usually a good thing.

10 Go to slide 2. Oh, here are slides.

11 So these are points that I'd like to be sharing  
12 with you regarding the -- I'm on slide 2 -- the Hazardous  
13 Waste Rules Incorporation By Reference, or IBR for short,  
14 2021, and it's update 2. And the reason we're using the  
15 update numbers is our --

16 BOARD MEMBER CAHN: Excuse me.

17 MS. STARK: Yes, ma'am.

18 BOARD MEMBER CAHN: Carol, are you sharing  
19 the screen when you talk about slide 2, because we don't  
20 see a shared screen.

21 MS. THOMPSON: Hold on one moment. Thanks  
22 for pointing that out. I thought we were good.

23 MS. STARK: This is Ms. Cahn?

24 MS. THOMPSON: Yes.

25 MS. STARK: Thank you.

1 CHAIRMAN KIRKBRIDE: And IBR is?

2 MS. STARK: Incorporation by reference.

3 MS. THOMPSON: Lorie, can you see that okay  
4 now?

5 (Off-the-record discussion.)

6 MS. THOMPSON: Okay.

7 MS. STARK: Can she hear me? Because the  
8 Board should have all the slides. No? Okay. Still work  
9 on it.

10 MS. THOMPSON: Is it good?

11 MS. STARK: All right. Thank you,  
12 Ms. Cahn.

13 So the points that we will be sharing -- I will  
14 be sharing with you is kind of what we -- this is what I'm  
15 going to discuss with you today, each of these points. I  
16 will try not to read every line. It gets hard on the  
17 PowerPoint. But I would like to go over these points, the  
18 overview of the rule adoption process. That's kind of  
19 lengthy. I'm not going to read all those.

20 The proposed rules, I'll have a list of them.  
21 The highlights of each proposed rule with the Federal  
22 Register Citations. So if you need to go look at it or  
23 want to go look at it, you can.

24 Outreach. I will discuss what we have done for  
25 outreach.

1           Reauthorization of the rules, approximate  
2 timeline that it's going to take us to get all of our rules  
3 adopted, and my contact information.

4           So we can move on to the next slide.

5           This is an overview of the hazardous waste rule  
6 adoption process. I just thought I'd throw this in here to  
7 let you know what we do to adopt the rules. Every year EPA  
8 advises or adds rules. Two, three, or four. And they're  
9 either mandatory or they're adoptional -- or they're  
10 optional.

11           DEQ considers the rule applicability to Wyoming,  
12 and there are many steps that are taken to revise our  
13 Chapter 1 rules to adopt the federal rule, even though it's  
14 incorporation by reference.

15           The additional steps include what's listed below.  
16 You can see we're on item 6, which is the WWAB meeting. We  
17 go all the way through to the very end in EPA review, which  
18 they've reviewed this many times, so we should be pretty  
19 good there.

20           And then an authorization from the EPA. And  
21 before that, of course, you can see we have the governor's  
22 final adoption. So we go through this process whenever we  
23 adopt rules. There are -- the five rules that we're going  
24 to adopt are the definition of a solid waste. And I'll go  
25 over each one after this.

1           The pharmaceuticals management and amendment to  
2 the nicotine P075 listing. And P075 is just the hazardous  
3 waste code.

4           And then the optional rules -- and if we didn't  
5 adopt these, you can see at the bottom, these rules are not  
6 more stringent than the federal rulings. Wyoming's  
7 adopting these rules so that our Wyoming rules are not more  
8 stringent than federal rules. These are kind of an easing  
9 of the rules.

10           The safe management of recalled air bags. You'll  
11 hear about that. Increasing recycling by adding aerosol  
12 cans to the universal waste regulations. And modernizing  
13 the ignitable liquids determinations. It's a laboratory  
14 method, as I'll discuss.

15           So I'll go over each one in a little more detail.  
16 The definition of solid waste rule overview. The DSW rule,  
17 as we call it, had earlier versions. It had versions in  
18 2008, 2015 and 2018 that we did not initially adopt by  
19 Wyoming, because there were uncertainties and there were  
20 litigations going on.

21           And effective May 30, 2018, the final rule became  
22 effective, and that included the 2015 rule with revisions.

23           So in 2018, what happened was they implemented a  
24 court decision regarding the recycling of hazardous waste  
25 materials, such as spent material, byproducts, sludges,

1 that when discarded would have been identified as hazardous  
2 waste. And you'll hear more about that in a minute.  
3 Wyoming is proposing to adopt the current DSW rule and  
4 those revisions.

5 So we can go to the next slide.

6 So mainly the definition of a solid waste rule  
7 affects refineries. It promotes legitimate recycling of  
8 hazardous secondary materials, as I already mentioned.

9 It removes barriers to legitimate recycling. It  
10 benefits businesses and the environment. It conserves  
11 natural resources, saves energy and reduces hazardous  
12 waste -- or waste and disposal costs. And it creates a  
13 clear definition of legitimate recycling of hazardous  
14 secondary materials such as reclaiming of catalysts in  
15 refineries. And the Federal Register referenced there is  
16 at the bottom.

17 So the DSW rule has several parts. There are  
18 mandatory changes and there are optional changes. The  
19 mandatory changes are -- I don't try to read them all, but  
20 sham recycling, speculative accumulation. And these are  
21 mandatory changes that we have to take.

22 The optional changes are DSW exclusions and  
23 nonwaste determinations. And as I mentioned before, the  
24 optional parts are adopted in order to be more consistent  
25 and not more stringent than the federal rules.



1           So the next one is the safe management of  
2 hazardous waste rules. And the rule facilitates the  
3 environmentally sound disposal of recalled defective Takata  
4 airbag inflators by dealerships and salvage yards.

5           And there are certain conditions that have to be  
6 met by them to exempt the collection of airbag waste from  
7 waste requirements but still a safe recall of the bags.

8           And unexploded recall airbags are ignitable and  
9 reactive and they make discarded inflaters a hazardous  
10 waste. And the explosive risk increases with storage time  
11 and humidity. So you can imagine these salvage yards full  
12 of Takata -- vehicles that have Takata airbags.

13           If you have more interest in them -- in this, you  
14 can Google Morgan Freeman Airbag Recall, and he has really  
15 good informative two-minute YouTube video where he talks  
16 about the recall and why it's important. And there's a  
17 link to a make and model locator, so you can find out if  
18 any of your vehicles have this recalled airbag, if you  
19 didn't have -- you know, people move and they don't get the  
20 notices. And that way you can be notified.

21           The next rule is the Hazardous Waste  
22 pharmaceuticals and nicotine rule highlight. These are the  
23 highlights of that rule. This rule it creates a new rule  
24 for the management of hazardous waste, pharmaceuticals by  
25 healthcare facilities. It prohibits disposal of

1 pharmaceuticals down the drain. It eliminates dual  
2 regulation by the drug enforcement authorities and  
3 controlled pharmaceut -- as controlled pharmaceuticals. It  
4 maintains the household waste exemption during take-back  
5 events. You know, the take-back days where you can take  
6 your old medicines to the fire department and whatnot.

7           It exempts over-the-counter nicotine replacement  
8 therapies, such as patches, gums and lozenges. Those are  
9 not included. And E-cigarettes, E-liquids and prescription  
10 nicotine replacement therapies are not exempt from the  
11 listing -- the hazardous waste listing of P075 as a  
12 hazardous waste. And, again, there's a Federal Register  
13 reference if you'd like to look that rule up.

14           So the next rule is the -- increasing the  
15 recycling by adding the aerosol cans to the Universal Waste  
16 Rule. This rule adds aerosol cans to that Universal Waste  
17 Rule to allow for recycling. The Universal Waste Rule  
18 exempts certain wastes from being considered hazardous  
19 waste. Aerosols can account for 40 percent of the retail  
20 items that are managed as hazardous waste. So that's  
21 really helpful.

22           And the rule reduces the quantity of those wastes  
23 going into municipal waste landfills. Not like some of the  
24 other rules, there are certain stipulations they have to  
25 follow, so -- to make it a part of the Universal Waste

1 Rule. And the Federal Register reference.

2 Go to the next slide. This is the last rule.

3 And it's the last rule we adopted. We almost didn't adopt  
4 it because we were almost through our process and this one  
5 came up. It's modernizing ignitable liquids  
6 determinations. The rule is the ignitable -- just stepping  
7 back. Ignitable hazardous waste is regulated to minimize  
8 its opportunity to cause or contribute fires during waste  
9 management activities, such as storage and disposal.

10 So what this rule does is it affects anyone who  
11 conducts testing to determine the ignitability of certain  
12 wastes, or uses the SW-846, which is air sampling, and  
13 certain stack emission methods. It updates that rule.  
14 That hasn't been updated for quite some time since 1980.  
15 It revises how liquids are identified under the Resource  
16 Conservation and Recovery Act, and under the Code of  
17 Federal Regulations as listed there.

18 And it provides flexibility to use modern testing  
19 methods. It didn't exist when they started the process in  
20 1980, when they had first adopted this rule. It adds the  
21 American Standard Testing Method, or ASTM, rule as an  
22 alternative sampling standard for the older Pensky-Martens  
23 method. So this is what we did for outreach. The  
24 following industries in Wyoming were impacted by these  
25 rules. And because of COVID, we had to do things

1 differently. We had planned to go up to hospitals and  
2 pharmacies, you know, several, and kind of congregate and  
3 have people come in or go into a DEQ office and have  
4 several managers come in and meet with us. And because of  
5 COVID, we were not able to do that. So what we did was we  
6 came up with a series of slide shows similar to this, but  
7 more focused on each rule. And for refineries, of course,  
8 they're affected by the DSW rules and aerosol rules; nine  
9 mines affected by the aerosol rule; eight hospitals, the  
10 pharmaceutical; and ten auto dealerships for airbags and  
11 the aerosol rule.

12           So we sent that out to all of these -- these  
13 presentations out and there weren't any questions or  
14 comments received from any of these industries. And we had  
15 a public notice and that ended June 14th and there were no  
16 comments received in the rule updates. So this is kind of  
17 the last step. This is what we do after the governor  
18 signs.

19           And to back up again. In May of 2019, we adopted  
20 eight rules previously when we went to the Board in 2019.  
21 And after we went through that process, it was May of 2019,  
22 we -- the governor signed and we adopted Update 1. We  
23 submitted to the EPA for reauthorization as a part of the  
24 process. And EPA made a lot of recommended edits,  
25 delegation and exception errors. There were times where we

1 didn't have to adopt a certain part of the rule because  
2 they were in charge of it.

3           One example are manifests -- hazardous waste  
4 manifests that came up with a user fee. And we adopted  
5 their rule, but there were certain parts we don't have  
6 anything to do with the charging of money to generators.  
7 That's an EPA -- that's their responsibility. And so  
8 because of that, those were some things that we needed to  
9 remove from our rules. So we cleaned that up.

10           And then in 2020, October of 2020, we provided it  
11 to the EPA and asked for their review and feedback. We got  
12 some feedback. In December we did same thing with our  
13 Attorney General, and they went through and made some  
14 really great revisions that made things more clear and  
15 reduced -- it just really helped the rules be a little more  
16 clear and concise. And current revision proposes the five  
17 new rules, and the -- it includes the mention -- the  
18 above-mentioned EPA and AG revisions.

19           So our general timeline is we started this in  
20 January, February of 2020. Public notice May of 2021.  
21 We're seeing you guys now here at the end of June. Then  
22 we'll be going before the EQC, the governor and submitting  
23 a package hopefully, if everything goes right, by spring of  
24 2022.

25           So this is my contact information. And that's --

1 that's kind of -- that's it in a nutshell. We just wanted  
2 to make sure we kind of gave it -- I know we probably  
3 didn't need to do it in a PowerPoint, but it just kind of  
4 helps to get all that information out there. You can look  
5 at it. You can understand it, hopefully.

6 CHAIRMAN KIRKBRIDE: I have a question.

7 MS. STARK: Yes, sir. Mr. Chair.

8 CHAIRMAN KIRKBRIDE: What happens to these  
9 issues between now and spring of 2022? The airbags --  
10 those uninflated airbags, et cetera?

11 MR. BREED: Mr. Chairman. Bob, can you  
12 answer the question?

13 MS. THOMPSON: It looks like he's muted.

14 MR. BREED: So what happens normally when  
15 they're doing a Federal Rule that comes in place and we  
16 haven't adopted it yet in our rule?

17 CHAIRMAN KIRKBRIDE: Yeah, that's the  
18 question.

19 MR. BREED: It's still enforceable, so --  
20 we can't enforce it through our rules, but EPA can enforce  
21 it and come into the State. But what we normally do with  
22 things like this, we just tell the generator we don't have  
23 it in our rules right now, but this is what we'd like you  
24 to do, because if you don't, then EPA can come in and force  
25 you to comply with that rule. So there's several like

1 that. Like the lab rule we did the last rulemaking. It  
2 was really beneficial to universities to be able to take  
3 their lab waste. And so because that was really helpful to  
4 them, we just said we'll comply with the Federal Rule, and  
5 we will be good with that. So it just takes one to two  
6 years put something in place to get everything through to  
7 get the rule adopted, so we have to have some way to be  
8 reasonable and make sense to --

9 CHAIRMAN KIRKBRIDE: Good answer. Thank  
10 you.

11 Other questions, comments at this time?

12 All right. What do we need to do about this?

13 MS. THOMPSON: So I -- Mr. Chairman, I  
14 think if -- if we have -- if the Board has any questions on  
15 the actual proposed changes to the rule, if there was  
16 anything that anyone noticed they wanted to discuss  
17 further, we should do that. And then it looks like there  
18 are potentially folks from the public on, and we should ask  
19 them if they have anything to say.

20 CHAIRMAN KIRKBRIDE: Okay.

21 MR. BREUER: I think I unmuted myself. Can  
22 you guys hear me in Casper? It's Bob Breuer, inspection  
23 compliance.

24 MS. THOMPSON: Yes.

25 MR. BREUER: Sorry. I'm unfamiliar with

1 Zoom. I just figured out how to unmute. But, yeah, I  
2 agree with what Jerry has said. We've continued to inspect  
3 dealerships and vehicle maintenance shops. For example,  
4 none of them have exceeded the max storage. I think it's  
5 200, maybe 250 airbags. Some can generate quite a few.  
6 Certain large Toyota SUVs for example, I think there's as  
7 many as four or five airbags to be replaced in some of  
8 those. But we've continued to inspect vehicle maintenance  
9 shops and haven't had a significant problem with  
10 accumulation of these or not going to the right outlets.  
11 So just wanted to add to Jerry's adequate response.

12 CHAIRMAN KIRKBRIDE: Well, what are they --  
13 vehicles that are going to the junk yards, who's  
14 responsible for seeing that those airbags are out of there?

15 MR. BREUER: You know, if the airbags  
16 remain in a vehicle or goes to a salvage yard, it's not  
17 considered a distinct separate waste stream. It's just  
18 part of the scrap metal salvage business. Granted, some  
19 may go off inside the vehicle, but they go off inside  
20 vehicles all the time. But they are not removed as a  
21 separate waste stream -- and there's plenty that go to  
22 salvage yards with the airbags still in them.

23 We have trouble with some salvage yards draining  
24 the oil and antifreeze. You can imagine that we would have  
25 trouble with salvage yards regarding intricate removal of



1 an airbag, you know. So they remain in the vehicle and  
2 just overall regulated the same way the scrap metal or  
3 vehicle as a whole.

4 CHAIRMAN KIRKBRIDE: Uh-huh. Other  
5 questions from the Board?

6 MS. THOMPSON: Looks like Lorie has a  
7 question.

8 CHAIRMAN KIRKBRIDE: Lorie.

9 BOARD MEMBER CAHN: Are we going through  
10 section by section on this? No?

11 MS. THOMPSON: Yes, Lorie. And which  
12 version would you want to go through? The clean or the  
13 strike?

14 BOARD MEMBER CAHN: I'm going to go through  
15 the clean version.

16 MS. THOMPSON: Okay.

17 BOARD MEMBER CAHN: Okay. The first  
18 comment I have is in Section 3. Are there any comments or  
19 questions before Section 3?

20 In section -- in Section 3, we're looking at  
21 substitutions of terms, state terms for federal terms. And  
22 the format you guys adopted, which I think is very helpful,  
23 is to have what is the federal term and then have a period,  
24 and then after that have the substituted state term.

25 So if we look at Roman numeral B -- or letter

1 B -- small letter B on line 61, we're missing the period.  
2 So are we replacing Administrator and Regional  
3 Administrator, with Director of the Wyoming Department of  
4 Environmental Quality, or are we replacing just  
5 administrator? So should -- with regional administrator.  
6 So I'm wondering where the period belongs, because it's not  
7 in there.

8 MR. BREED: Ms. Cahn, this is Jerry. I  
9 think it's the Administrator and Regional Administrator.

10 Matt, if you -- do you know if that's correct or  
11 not?

12 MS. THOMPSON: So there should be a period  
13 instead of comma after Regional Administrator, is that what  
14 you're thinking?

15 MR. BREED: Yes.

16 BOARD MEMBER CAHN: Yes.

17 MR. VANWORMER: Jerry. This is Matt. I  
18 agree with you. It would follow Regional Administrator.

19 MR. BREED: Okay. Thank you.

20 BOARD MEMBER CAHN: Okay. The next -- next  
21 comment that I have is the next page on lines 74 through  
22 77, which referred to qualified professional engineer and  
23 what we are replacing that with. The -- I'm not sure the  
24 last sentence that says "This differs from the EPA phrase  
25 'qualified Professional Engineer'" is necessary, since

1 the -- it seems redundant. The first line is "qualified  
2 professional engineer." So that implies -- that says  
3 that's what we're replacing. And then it says a  
4 professional engineer registered in the state of Wyoming.  
5 So I thought starting on line 76 that last sentence is  
6 unnecessary and should be deleted.

7 MR. BREED: Thank you. I'm good with that,  
8 if you are, Matt.

9 MR. VANWORMER: Yeah, Jerry, that -- that  
10 seems like a good recommendation. I think we should take  
11 that into consideration.

12 MR. BREED: Okay. Thank you.

13 BOARD MEMBER CAHN: And then the next  
14 definition for qualified geologist or geologist, it's line  
15 79 through 82, it's the same thing, the last sentence,  
16 "This differs from the EPA phrase 'qualified geologist or  
17 geologists.'" I believe that should be deleted as well as  
18 being redundant.

19 MR. BREED: Okay. Thank you.

20 Carol, do you have something?

21 MS. STARK: Yeah, I just -- I thought that  
22 the reason we did that on both of those was to -- because  
23 IBR is incorporation by reference, and we're calling out  
24 anywhere we're different. I thought that's why we did  
25 that. I thought that sentence was to do, is call out this

1 is different from EPA's. That's all.

2 MR. BREED: That's what the -- (f) and (g),  
3 when they say qualified professional engineer, that is --

4 MS. STARK: That's what that is.

5 MR. BREED: That is the difference. We  
6 just don't need to repeat that that's the difference.

7 MS. STARK: Okay. I'm good.

8 MS. BREED: Sorry, Ms. Cahn.

9 BOARD MEMBER CAHN: The next comment that I  
10 have is in Section 4. And for the rest of the board  
11 members, please feel free to interrupt if I'm skipping over  
12 some concern that you have. It's on page 1-4, line --  
13 starting on line 142. And I don't believe the definition  
14 DEQ is proposing of one excess cancer per million people is  
15 correct, because the definition that DEQ is proposing is a  
16 probability of one chance in one million of an individual  
17 developing cancer. And that definition ignores the point  
18 that this does not say one cancer per million people. This  
19 is one excess cancer per million people. So I believe the  
20 definition needs to have the word excess in there to be --  
21 to be -- and indicate that it's an act of the natural  
22 background risk, this (technical difficulties) --

23 THE REPORTER: I need help here.

24 BOARD MEMBER CAHN: -- resulting from  
25 lifetime exposure to carcinogens. So maybe we need the

1 word beyond their background risk or something else in  
2 there, because the definition is not correct from a risk  
3 assessment perspective.

4 MR. BREED: Sorry. I didn't quite --

5 CHAIRMAN KIRKBRIDE: Lorie, we're  
6 struggling with the communication here. Your voice is  
7 garbling occasionally.

8 BOARD MEMBER CAHN: Oh, I'm sorry.

9 MS. THOMPSON: We apologize. The internet  
10 was spotty for a moment.

11 BOARD MEMBER CAHN: Okay. Shall I try  
12 again?

13 CHAIRMAN KIRKBRIDE: Please repeat what you  
14 said.

15 MS. THOMPSON: Yeah.

16 BOARD MEMBER CAHN: Okay. So the one  
17 excess cancer per million people is different from one  
18 cancer per million people. And your -- your follow-up  
19 definition ignores the excess part of that definition. So  
20 from a risk assessment perspective, your definition is not  
21 correct, and so it's -- we need to be looking at an excess  
22 beyond the background risk or the natural background risk  
23 that you would get in a lifetime of being exposed to  
24 carcinogens. So the definition that DEQ is proposing, a  
25 probability of one chance in one million of an individual

1 developing cancer is ignoring that we're -- we need to look  
2 at the excess of their probability of developing cancer.  
3 So let's say one in -- you know, one in -- I don't know  
4 what it would be -- one in a million. If some risk of  
5 developing some particular cancer was one in a million, but  
6 because of what something is being proposed -- something --  
7 the excess cancer is directly a result of that activity  
8 that's an excess of that background risk. And so somehow  
9 we're missing the excess -- the above beyond -- you know,  
10 beyond background risk is missing from the definition.

11           So my proposal would be -- and you guys can bring  
12 it back to your risk assessors to get better wording -- but  
13 I would say something like a probability of one chance in  
14 one million of an individual developing a cancer beyond --  
15 you know, beyond their natural background risk or beyond  
16 their background risk. Something -- something to indicate  
17 it's beyond what they're already, you know, exposed to.  
18 This is something in excess. Does that make sense?

19           MR. BREED: Yes. Thank you. That does  
20 make sense. Yeah, this has been in our rules for -- since  
21 1997, I think. So it was good you catch it, because --

22           MS. STARK: Yes.

23           MR. BREED: -- we do only look above  
24 background risk. We're not including background. So we  
25 need that clarification. I appreciate that. Thank you.

1                   BOARD MEMBER CAHN: My next comment is  
2 lines 144 through 148 on the next page. And -- so I'm --  
3 so it starts out with potentially exposed populations. And  
4 I like the first sentence. First part of the first  
5 sentence -- next sentence, which is your definition. Any  
6 or all individuals potentially coming into contact with  
7 contaminants of concern. And I think that's good. But the  
8 rest of it I'm not sure it belongs or is necessary, and it  
9 seems confusing to me. And that part is including those  
10 groups within the exposed population that because of  
11 specific health effects of some pollutants or factors  
12 related to the population itself would experience a higher  
13 risk than would the average population as a result of a  
14 given level of exposure. And I would just delete all that.  
15 I think it -- it muddles the definition, and it's kind of  
16 not necessary and it doesn't even seem to belong there. So  
17 I'll leave that open for discussion.

18                   MR. BREED: Okay. What we're trying to get  
19 at there is to make sure that we're identifying sensitive  
20 populations. So could we -- what do you think of any or  
21 all individuals, including sensitive populations,  
22 potentially coming into contact with contaminants of  
23 concern?

24                   BOARD MEMBER CAHN: Sure.

25                   MR. BREED: Okay. Thank you.

1                   BOARD MEMBER CAHN: The next comment I have  
2 is on item (x), starting on line 151. And this is the  
3 sewer system, and the definition includes -- it just says  
4 pipelines, conduits, storm sewers, et cetera. And it says  
5 used for collecting or conducting wastes to an ultimate  
6 point for treatment or disposal. And I thought waste there  
7 should be more specific. We're not talking about all  
8 liquid wastes that go through pipelines and conduits.  
9 We're only talking about sewage or sanitary waste, sewer  
10 waste. So I thought we need some addition -- some modifier  
11 before wastes. Either sanitary wastes or sewer wastes or  
12 something to indicate -- we're not talking about all liquid  
13 wastes here.

14                   MR. BREED: I'd have to go back and look at  
15 that, because a lot of sewer systems in refineries, for  
16 example, are not sanitary sewers. They're wastewater sewer  
17 systems that do collect other kinds of like listed  
18 hazardous waste and those kind of things.

19                   Bob, I don't know if you have -- Bob, maybe  
20 you're on mute or -- do you have something to add?

21                   MR. BREUER: I apologize for not knowing  
22 this mute system. Again, this is Bob Breuer with DEQ in  
23 Casper.

24                   Lorie may have a point there. One suggestion  
25 might be authorized waste, because a lot of large



1 municipalities, for example, Casper and I believe Cheyenne,  
2 have pretreatment authorization where they can allow some  
3 industrial liquid waste into their conveyance system for  
4 treatment, because a lot of them lend themselves to  
5 biological treatment. Especially the world-class treatment  
6 they have in Casper.

7           So we can discuss this offline or -- or maybe the  
8 suggestion to qualify that as authorized, in other words,  
9 authorized by pretreatment authority, which in our cases  
10 would be the Casper utilities and Cheyenne utility  
11 authorities. That's not absolutely necessary, but I can  
12 just see Lorie's point there.

13           BOARD MEMBER CAHN: And I'd be happy to go  
14 over that. I think that -- you know, authorized sounds  
15 good to me, but whatever you come up with addresses my  
16 concern would be great. So thank you for that. Thanks.

17           CHAIRMAN KIRKBRIDE: I would like to inject  
18 a Zoom tip for Mr. Breuer. If you just hold the space bar  
19 down, you effectively unmute yourself. And raise it up and  
20 then you're muted again. Real easy way if you're making a  
21 short comment.

22           MR. BREUER: Thank you, Mr. Chairman. I  
23 need all the tips I can get.

24           BOARD MEMBER CAHN: Thank you, Mr. Chair.  
25 I just learned something really useful. Thank you.

1                   CHAIRMAN KIRKBRIDE: Lorie, I think you've  
2 still got the floor, if you choose.

3                   BOARD MEMBER CAHN: Okay. I've got -- my  
4 next comment is in Section 124 on page 1-6, line 203. The  
5 term -- so we're now in the section on Applications For a  
6 Permit. And item (iii) says "Upon receipt of notice that  
7 the application is complete, the applicant shall:" And  
8 then item (C) starts "Cause a notice to be published." And  
9 could we just say published a notice rather than cause a  
10 notice to be published? It just seemed a little awkward.

11                   MR. BREED: Matt, are you okay with that?

12                   MR. VANWORMER: Yeah, Jerry, I would agree  
13 with that. I think it makes the language more streamlined  
14 and would read better if it said "published a notice." I  
15 agree with Board Member Cahn.

16                   MR. BREED: Okay. Thank you both.

17                   BOARD MEMBER CAHN: My next comment is on  
18 page 1-7, lines 236 through 240. And my only question is  
19 why is this in -- this couple of sentences in parentheses?  
20 So I don't -- I don't disagree that the information needs  
21 to be there. I'm just not used to seeing a bunch of -- a  
22 couple of sentences in parentheses. So that is my  
23 question.

24                   MR. BREED: And I think this comes from --  
25 we've run into a couple problems once in a while where

1 people don't get the notice when they think they should  
2 have or we think that they should have. So as a way for  
3 them -- for us to give them a little bit of time so we can  
4 still accept their comments if there was a problem within  
5 that 45 days of actually from when it began to when it  
6 would end. So it was just -- it was for that reason.

7 BOARD MEMBER CAHN: I mean, you comply with  
8 the requirements of 46 CFR 124.13, additional time shall be  
9 granted under 40 CFR 124.10 to the extent that a commenter  
10 who requests additional time demonstrates the need for such  
11 time. And that entire thing I just read is in parentheses.  
12 And I'm -- I agree that that needs to be in there. I'm  
13 just questioning -- not whether it be in there or not, but  
14 why is it in parentheses? I think the parentheses can be  
15 removed. I think the information is important. (Technical  
16 difficulties).

17 MS. STARK: Ms. Cahn, could we ask Matt  
18 VanWormer, our AG, that question?

19 MR. VANWORMER: Board Member Cahn and Carol  
20 and Jerry, this goes back to an older version of the rules.  
21 I agree with Board Member Cahn. I don't think those  
22 parentheses are adding anything useful for that language.  
23 It would have the same meaning and effect if they're  
24 removed. And I think it's a good cleanup edit to take the  
25 parenthetical out.

1 MS. THOMPSON: One thing to note, too, as a  
2 sideboard, is if you were trying to draw attention to that  
3 because you had problems, you could make it a subparagraph  
4 under (iii), because you have little space there and it  
5 would draw your eye in. It's not a requirement, but if you  
6 were trying to draw attention, that would be one way to do  
7 it, and that would be compliant with the Secretary of  
8 State's formatting rules.

9 MR. BREED: Okay. Thank you.

10 BOARD MEMBER CAHN: My next comment is just  
11 typo. On line 1-13 -- I'm sorry, on page 1-13, line 450.  
12 We have "authorized toto perform these export functions,"  
13 and it should -- there's just two to's put together. So we  
14 note "toto" to be changed to "to."

15 MR. BREED: Thank you.

16 MS. STARK: Thank you.

17 BOARD MEMBER CAHN: My next comment is on  
18 page 1-17, lines 618 through 621. And it's items (x) and  
19 (xi), romanettes. And I think we're missing -- it doesn't  
20 seem to be parallel construction to all the romanettes that  
21 come before, and so I'm thinking we might need to add the  
22 word "within" at the beginning of both (x) and (xi).

23 So if you look back at the start of all those  
24 romanettes, it's -- also (i) on line 583. "In addition to  
25 the location standards of this chapter, Class II

1 facilities, as defined in Section 4(f) of these rules,  
2 shall not be located in violation of the following  
3 standards:" And when we get to (x), it just says "One  
4 thousand feet of any perennial lake," but I think it needs  
5 to state "Within one thousand feet." So we're not talking  
6 about beyond 1,000 feet. And same with (xi), I think it  
7 needs to be "Within 300 feet of any perennial." So I would  
8 just add the word "within" in both -- beginning of line 618  
9 and line 621.

10 MR. BREED: Yes. Thank you. That's a good  
11 catch.

12 MS. STARK: Thank you.

13 BOARD MEMBER CAHN: Sorry. Just bear with  
14 me while I scroll through my markups.

15 And that's it for me. I thought you guys did an  
16 excellent job and these were very clean. I really didn't  
17 have that many comments, and so I thought you did a great  
18 job. That's all there is for me. Thank you.

19 MR. BREED: Thank you very much.

20 MS. STARK: Thank you, Lorie -- Ms. Cahn.

21 CHAIRMAN KIRKBRIDE: Does any other board  
22 member have some comments here? No?

23 All right. Member of the public? Does any  
24 member of the public -- would any of them like to comment  
25 on anything about this rule as suggested?

1 Well, I don't hear anything. Go on. What should  
2 we do?

3 MS. THOMPSON: So I think, Mr. Chairman,  
4 that the -- that the Division is looking for the Board's  
5 recommendation to keep on trucking through the -- through  
6 the --

7 CHAIRMAN KIRKBRIDE: Through the process.

8 MS. THOMPSON: So we would appreciate  
9 discussion and vote of your advice to keep moving forward  
10 to the Council.

11 MR. BREED: Yes. Thank you, Gina.

12 MS. THOMPSON: I'll just speak for this  
13 Division I don't belong to. Sorry.

14 MR. BREED: Thank you for doing it.

15 MS. STARK: Thank you, Gina.

16 CHAIRMAN KIRKBRIDE: Well, to the board,  
17 what would you -- would you have more comments or would you  
18 like to take action?

19 BOARD MEMBER CAHN: I would like to propose  
20 a motion. And the motion would state that the Water and  
21 Waste Advisory Board recommends forwarding this to EQC,  
22 given the changes that we discussed today at our meeting.

23 CHAIRMAN KIRKBRIDE: Is there a second?

24 BOARD MEMBER DEURLOO: I'll second that.  
25 This is Brian Deurloo.

1 CHAIRMAN KIRKBRIDE: Yes, sir.

2 All right. Is there discussion on this motion?

3 Let's proceed to vote. All in favor say aye.

4 BOARD MEMBER COCHRAN: Aye.

5 BOARD MEMBER CAHN: Aye.

6 BOARD MEMBER DEURLOO: Aye.

7 CHAIRMAN KIRKBRIDE: And there's no -- no  
8 room for anybody against. This motion passes.

9 MR. BREED: Thank you very much.

10 MS. STARK: Thank you.

11 CHAIRMAN KIRKBRIDE: Yes.

12 MS. THOMPSON: So, Mr. Chairman, the next  
13 item on the agenda is just to discuss scheduling and  
14 location of the next meeting. As the interim administrator  
15 for Water Quality Division indicated, we are not sure that  
16 we have a rule to bring to you. I think that we will --  
17 Water Quality Division probably does not have a rulemaking  
18 to bring to you in the third quarter, but I'm hesitant to  
19 speak for the Solid Waste Program of the Solid and  
20 Hazardous Waste Division, because I'm sure -- I know that  
21 they're working on things. I'm just not sure what their  
22 deadlines are.

23 So I think my proposal for you would be to allow  
24 me to check in with them to see if they have items to bring  
25 to you at the next meeting. And then if they do, we would

1 proceed with our usual Doodle Poll and scheduling. Keeping  
2 in mind that the chairman had expressed an idea that it  
3 would be nice to meet in person if, you know, the global  
4 conditions allow that at the time. So we would be looking  
5 at most likely a September meeting. And then in the  
6 polling we would indicate that we would be meeting in  
7 person. But if the chairman has a preference for location,  
8 we can prioritize that as well.

9 CHAIRMAN KIRKBRIDE: Yeah. Well, might it  
10 be late September if we met?

11 MS. THOMPSON: Yeah.

12 CHAIRMAN KIRKBRIDE: What do you think,  
13 folks, about -- I mean, if we're going to meet in person,  
14 probably that would be better meeting to do than December,  
15 right?

16 MS. THOMPSON: Probably.

17 CHAIRMAN KIRKBRIDE: Not necessarily, but  
18 usually.

19 MS. THOMPSON: Additionally, too, we have a  
20 portable kit that we're actually strangely using today  
21 because our usual infrastructure was failing when we tried  
22 to start this meeting earlier. So we do have a portable  
23 kit so we can make any meeting kind of a hybrid. So if  
24 folks were not able to attend in person, but they could  
25 attend remotely, we could still do that as well.



1                   CHAIRMAN KIRKBRIDE: Well, my fellow board  
2 members, what about Casper in late September, if necessary?  
3 Is that central enough?

4                   BOARD MEMBER CAHN: I'm okay with Cheyenne,  
5 but I'm a little bit confused because I thought Gina said  
6 at this point there's nothing that you know of for the  
7 third quarter. So this is only if the other Division  
8 brings us something, otherwise, we'd be looking at fourth  
9 quarter meeting, correct?

10                  MS. THOMPSON: That's correct. Yes I --  
11 I -- I've been discussing rulemaking timelines with the  
12 other Division in the other programs, but they were waiting  
13 on some feedback from EPA, and I don't know if they've got  
14 that and they're prepared to come to you again, or if  
15 they'll be still waiting. So I didn't want to say, yes,  
16 we're definitely having a meeting, and I also didn't want  
17 to give you the wrong impression that, no, we won't be  
18 meeting at all and then have to change course. So I was  
19 kind of hoping to kind of tentatively put it out there and  
20 then kind of firm up the plan as we have more information.  
21 So --

22                  BOARD MEMBER CAHN: So it might be a  
23 possibility that we have maybe an early fourth quarter  
24 meeting if we don't have a third quarter?

25                  MS. THOMPSON: I'm not sure that we would

1 make it earlier than December. November's very  
2 challenging. And generally if we're -- if we're looking to  
3 do something in the fourth quarter, it's because we're  
4 trying to wrap up our edits, so we wouldn't necessarily  
5 have something ready by October either. So I think if we  
6 planned on a fourth quarter meeting, we would still be  
7 doing it in December. But we would do it well in advance  
8 of holiday, between that nice sweet spot between  
9 Thanksgiving and when everyone starts leaving for winter  
10 vacations, so...

11 CHAIRMAN KIRKBRIDE: Uh-huh. When 45 other  
12 things are plugged in.

13 MS. THOMPSON: Right. Yeah.

14 So I guess one thing too, we don't have to decide  
15 to where you would want it, but if Casper is a preference,  
16 we could definitely start looking at that once we have some  
17 information from our sister division. And then I guess  
18 look for emails from me in the next few weeks once we  
19 figure that out. And then if we decide not to have a  
20 meeting, I'll email you all to see what we can do for the  
21 fourth quarter. So that's pretty much all I have for  
22 today.

23 BOARD MEMBER CAHN: Okay. Gina, for me, it  
24 might -- Cheyenne might work out better in case I'm out of  
25 the country and it's easier to fly into Cheyenne than it

1 would be to fly into Casper. So just depending on -- when  
2 we get closer to that time, I can let you know what's  
3 convenient for me. Thank you.

4 MS. THOMPSON: Okay. Thank you.

5 CHAIRMAN KIRKBRIDE: How about you, Brian?  
6 How are you for flying into Cheyenne?

7 BOARD MEMBER DEURLOO: Well, I got a little  
8 power parachute and it only goes 30 miles an hour, so it'd  
9 take me a while to get from here to there.

10 Wherever. Casper. Cheyenne. Doesn't matter to  
11 me. I like this teleconference, if we're still allowed to  
12 do this. This is -- if you're not opposed to it,  
13 Mr. Chairman. But if we're -- if I can roll in business --  
14 I'll go wherever. I'm happy. I've got lots of reasons to  
15 come to Cheyenne for sure.

16 MS. THOMPSON: Okay.

17 CHAIRMAN KIRKBRIDE: All right. Is that a  
18 little easier on the staff?

19 MS. THOMPSON: So it's easier on the staff,  
20 but it's also less costly for the staff. We're being  
21 advised to be mindful of our spending still, and we're  
22 working hard to do that. If we have a meeting in Cheyenne,  
23 then we don't incur lodging and mileage costs. And also,  
24 since two of the Board are from Laramie County, we also  
25 don't incur the cost for the Board. So that can -- that

1 can help us out a little. But, again, it's based on the  
2 Board's preference, and then we just work with the  
3 administrators to get a final plan together, so...

4 CHAIRMAN KIRKBRIDE: Uh-huh. Okay. Then  
5 let's angle for Cheyenne for the next meeting, and we'll  
6 wait -- we'll wait, see what the divisions have for us.

7 MS. THOMPSON: Yes. Thank you, sir.

8 BOARD MEMBER CAHN: And I would also say I  
9 would second what Brian has -- you know, Board Member Brian  
10 has asked for, which is the Zoom meetings. Because I think  
11 particularly trying to drive in the winter across the  
12 state, you know, it could be better to also have a Zoom  
13 backup, in case the weather does its Wyoming thing.

14 MS. THOMPSON: Yes. I agree. Thank you.

15 CHAIRMAN KIRKBRIDE: Yes. That's  
16 commonsense. Okay.

17 MS. THOMPSON: Okay. So you'll have to  
18 adjourn.

19 CHAIRMAN KIRKBRIDE: All right. Does  
20 anybody have anything else that ought to come before this  
21 meeting? Then I declare it adjourned.

22 BOARD MEMBER DEURLOO: I move we adjourn,  
23 sure.

24 CHAIRMAN KIRKBRIDE: Do we need that?

25 MS. THOMPSON: I don't think so. We're

1 like loose --

2 CHAIRMAN KIRKBRIDE: It's an authoritarian  
3 move here, Brian. It's adjourned.

4 (Meeting proceedings concluded  
5 10:12 a.m., June 29, 2021.)

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C E R T I F I C A T E

I, KATHY J. KENDRICK, a Registered Professional Reporter, do hereby certify that I reported by machine shorthand the foregoing proceedings contained herein, constituting a full, true and correct transcript.

Dated this 18th day of July, 2021.

  
KATHY J. KENDRICK  
Registered Professional Reporter

