

1 BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY

2  
3 LAND QUALITY DIVISION ADVISORY BOARD  
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7 ADVISORY BOARD MEETING TO PRESENT AND SCOPE DRAFT SOURCE MATERIAL  
8 PROGRAM (SMP) CHAPTERS 1, 6 AND 9  
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14 TRANSCRIPT OF MEETING PROCEEDINGS  
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17 Transcript of Meeting Proceedings in the above – entitled matter before the Department  
18 of Environmental Quality, Land Quality Division, commencing on the 14th day of December,  
19 2023 at 10:00 a.m. in Room 211, 200 West 17<sup>th</sup> Street, Cheyenne, Wyoming. Chairman Jim  
20 Gampetro presiding, with board members Ms. Dawn Kolkman, and Mr. Bryan Cook also  
21 attending via video conference.  
22

23 In attendance from the Land Quality Division (LQD) are Ms. Brandi O’Brien – LQD Source  
24 Material and Uranium Recovery Programs Manager, Ms. Carol Stark – LQD Source Material  
25 and Uranium Recovery Programs, Mr. Monte Buchanan – Source Material and Uranium  
26 Recovery Programs, Mr. Craig Hults – LQD, and Ms. Jacquelyn Williams – LQD. Also, in  
27 attendance via video conference from the Wyoming Attorney General’s Office are Benjamin  
28 Peterson and Ms. Alysia Goldman. And interested public participants via video conference  
29 included Mr. Duncan White – Nuclear Regulatory Commission, and Mr. Philip Dinsmoor.  
30

31 MS. WILLIAMS: Well, I’m going to go ahead and introduce myself as Jackie from Land quality  
32 and just let everybody know that we are recording. And that to mute your phone when you’re not  
33 talking and when you are speaking, just please reintroduce yourself prior to speaking and Jim.  
34 I’m going to let you take over.  
35

36 CHAIRMAN GAMPETRO: Okay, let’s consider the meeting open and we’ll start off with  
37 introductions. My name is Jim Gampetro. I’m in Buffalo, Wyoming. I’m a public representative.  
38

39 MR. HULTS: If we could have the board members introduce themselves first, that’d be great.  
40

41 BOARD MEMBER KOLKMAN: Good morning. I’m Dawn Kolkman, and I am the board  
42 member representing industry.  
43

44 MR. HULTS: Bryan?  
45

1 BOARD MEMBER COOK: Yes, so Craig, you'll have to tell me what I'm representing, but I  
2 believe so, my name is Bryan Cook. I'm a city councilman and Cheyenne, Wyoming. I believe  
3 my role as a-is as an elected official, but you can correct me if I am wrong about that.  
4  
5 MR. HULTS: That's correct, Board Member Cook.[laugh]  
6  
7 MR. BUCHANAN: That should be all of them.  
8  
9 CHAIRMAN GAMPETRO: Any other? Are there any other board members out there?  
10  
11 MR. HULTS: I believe that's it, chairman.  
12  
13 CHAIRMAN GAMPETRO: Well then the introductions are we can continue with the  
14 introductions with the other people that are-that are on this call?  
15  
16 MR. HULTS: Yeah, Jim. I'll call them out, Alysia?  
17  
18 MS. GOLDMAN: I am Alysia Goldman with the Wyoming Attorney General's office,  
19 representing The Advisory Board.  
20  
21 MR. HULTS: And Benjamin?  
22  
23 MR. PETERSON: My name is Ben Peterson, and I am filling in for David Duval, that would be  
24 the Attorney General's office.  
25  
26 MR. HULTS: And Duncan?  
27  
28 MR. WHITE: Okay, I'm Duncan White with the Nuclear Regulatory Commission? I'm the  
29 project manager for the amendment to the Wyoming agreement.  
30  
31 MR. HULTS: I believe that's everyone on the line, Mr. Chairman.  
32  
33 CHAIRMAN GAMPETRO: Except for Craig Hults.  
34  
35 MR. HULTS: Whoops! I'm sorry. I forgot Mr. Dinsmoor  
36  
37 MR. DINSMOOR: Good morning. I'm Phil Dinsmoor and I'm representing myself.  
38  
39 CHAIRMAN GAMPETRO: Okey-dokey. And then there...[crosstalk]  
40  
41 MR. HULTS: Mr. Chairman?  
42  
43 CHAIRMAN GAMPETRO: Yes.  
44  
45 MR. HULTS: Here in Cheyenne, Craig Hults with Land Quality Division.  
46

1 MS. WILLIAMS: Jacquelyn Williams with Land Quality.

2  
3 MR. BUCHANAN: Monte Buchanan, Land Quality Source Material Program.

4  
5 MS. STARK: Carol Stark, Land Quality New Source material program.

6  
7 MS. O'BRIEN: And Brandi O'Brien, Uranium Recovery Program and Source Material Program

8  
9 MR. HULTS: Mr. Chairman, that is everybody this time.

10  
11 CHAIRMAN GAMPETRO: Okay, um, what is intended by this agenda item 2 being meeting  
12 minutes update. What are we doing there?

13  
14 MR. HULTS: Mr. Chairman, I'll tackle that one. We were in transition with our court reporter  
15 last meeting. I had told you that Kathy Kendrick would no longer be reporting for us. We have  
16 found someone that can do it off of the recordings. She's currently working on it. So, I don't have  
17 the previous meeting minutes from September for you to review just yet. So, you'll probably get  
18 2 sets of meeting minutes at the next meeting.

19  
20 CHAIRMAN GAMPETRO: That sounds good. That'll work. Um, Item, 3 introduction and  
21 scoping of 3 draft chapters of new rules for the Source Material Program, House Bill HB0061  
22 was approved during the 2023 legislative session and granted Authority for the DEQ to  
23 promulgate regulations to become an agreement state with the Nuclear Regulatory Commission  
24 for the regulation of source material. The following chapters will be presented to The Advisory  
25 Board for comment and discussion, 1) Chapter 1, General Provisions, 2) Chapter 6, Financial  
26 Assurance Requirements, and 3) Chapter 9, Transportation of Radioactive Materials. Are you  
27 going to walk us through that, Craig?

28  
29 MR. HULTS: Mr. Chairman I'm going to pass it off to Monte Buchanan.

30  
31 CHAIRMAN GAMPETRO: That's fine. Let's do it.

32  
33 [pause]

34  
35 MR. BUCHANAN: Good morning. Mr. Chairman. This is Monte Buchanan. And I have my  
36 team member, Carol Stark. We're part of the Source Material Program, and we're getting ready to  
37 share a slide presentation. Since you're calling in, you may not be able to see this, but we are  
38 sharing a slide and it sort of outlines what we're going to discuss with the presentation. For those  
39 of you that are online. Can you see the screen?

40  
41 BOARD MEMBER COOK: Yes.

42  
43 BOARD MEMBER KOLKMAN: Yes.

44  
45 MR. WHITE: Yes.

46

1 MR. BUCHANAN: I will. Okay, thank you. So, Carol, she will start off with the presentation  
2 and I will jump in halfway through.

3  
4 MS. STARK: Okay, we will be talking today about the Source Material Program proposed rules  
5 as we did at the last board meeting. This time we'll be talking as Jim mentioned, Chairman  
6 mentioned, Chapters 1,6 and 9. So Monte Buchanan and myself will be presenting. I'll do the  
7 first half, and then you'll get to hear from Monte on the second half, similar to what we did last  
8 time.

9  
10 So the Source Material Program for new members, and was a refresher to everyone, is a new  
11 program with the Wyoming DEQ, Land Quality Division, and it will allow Wyoming to assume  
12 regulatory authority over source material. That is recovered from any mineral resources  
13 processed primarily from purposes other than for Uranium or Thorium content. This authority  
14 must be granted by the Nuclear Regulatory Commission, and we'll talk about that here in a  
15 moment.

16  
17 So how this came to pass in February 2023 the House Bill (HB0061) Source Material associated  
18 with milling adopted by the State was adopted by the state legislature on February 21, 2023,  
19 Governor Gordon had a letter of intent sent to the NRC to amend Wyoming's agreement. And  
20 then in April 2023 NRC Commissioner Hanson responded via a letter. In August 2023 NRC staff  
21 wrote SECY-23-0075 which is seeking NRC commission's approval for Wyoming's request to  
22 assume limited scope of authority over source material in the definition as mentioned previously.

23  
24 September 19, 2023, the commission approved Wyoming's proposal to pursue the limited scope  
25 of authority. So, as an agreement State we said we're going to seek to amend, so just to let you  
26 know what an agreement state is. It's a state that has entered into an agreement with the NRC to  
27 obtain regulatory authority to regulate certain uses of radioactive materials within the state. The  
28 types of materials or by product material source materials and certain quantities of special  
29 nuclear material.

30  
31 I'll go back a little bit under byproduct materials. There are 4 types we will be looking at tailings  
32 or wastes produced by processing uranium or thorium ore and 11e(2) by product materials  
33 included in the URP rules. The source material program is a subset of the URP rules, and we'll  
34 talk about that later here, but similarly a subset will be included in the SMP rules. So, there are  
35 39 agreement states with the NRC. The orange are not agreement states, but Wyoming is one of  
36 those agreement states, just to let you see how we look in the United States.

37  
38 So, House Bill (HB0061) what this did was it authorized DEQ to issue suspend and revoke  
39 licenses for possession and use and I probably won't read every sentence. Source material  
40 recovered from mineral resources. Assume regulatory authority over those. Adopt a fee structure  
41 for licenses for source material. Promulgate rules recovered from their own resources, Hire 2  
42 full-time positions for DEQ. And appropriate funding to implement this act. So, source material  
43 is ore that contains uranium or thorium or any combination thereof above a certain concentration,  
44 which is 0.05 % or more by weight. Source material occurs when milling concentrates uranium  
45 or thorium to that 0.05 % by way anywhere in its process,

46

1 And also, source material is recovered from any mineral resources processed primarily for  
2 purposes other than obtaining the source material content. The source material program will  
3 regulate or would regulate once we're up and running the source material generated from rare  
4 earth mining, and the elemental table to the right has a few of those rare earth elements. Rare  
5 earth milling source material generated from any other milling such as coal, copper, gold, but the  
6 source material program would not regulate depleted uranium waste treatment. Water, sorry  
7 water treatment resins and milling for uranium or thorium.

8  
9 So we have a modicum that we need to follow for to be part of the NRC. We need to have  
10 adequacy and compatibility with their rules. So, we must meet certain program elements to  
11 maintain an adequate and compatible program according to those NRC standards, which is as  
12 we've said before the Nuclear Regulatory Commission. NRC staff must evaluate those changes  
13 to ensure that our adequacy and compatibility of the program, of the proposed program.  
14 Compatibility categories include A and B, C, D and H&S which stands for Health and Safety.  
15 So, each one of those categories have a different level of um we have to be compatible with  
16 NRC.

17  
18 And, the regulation and program elements of these are determined in accordance with the NRC's  
19 management directive and Handbook 5.9, which is Adequacy and Compatibility of Program  
20 Elements for Agreement State Programs. So, I'm going to talk a little bit about the difference  
21 between URP and SMP. The difference is the two separate programs. They are two separate  
22 programs. They are going to have two sets of rules promulgated for clear regulatory structure.

23  
24 The URP was established as a limited agreement. Wyoming was established the URP program as  
25 a limited program with the NRC in 2018. I think you got my gist. Under URP Wyoming  
26 assumed regulatory authority over a discreet sliver of the following materials; source material  
27 involved in uranium or thorium recovery or milling and the associated by product material as  
28 defined in section 11e(2) of the Atomic Energy Act 1954 amended. The NRC program for URP  
29 is funded 100% through fees paid by industry holders. So now we'll talk about the Source  
30 Material Program. The Source Material Program will regulate discrete segments of source  
31 material possession and use licenses. It will have a similar rule promulgation process to the URP,  
32 and it will be funded by General funds during, just during the rules' promulgation process we're  
33 going through right now.

34  
35 Currently, there is only one SMP licensee in Wyoming related to Rare Earth development for  
36 this discrete material category. Once the program is stood up, any SMP license will be  
37 transferred to the state and the license holder will pay fees to fund the program, similar to what I  
38 mentioned with URP.

39  
40 MR. BUCHANAN: Thank you, Carol. So, it's...I'm going to jump in here...let's talk a little bit  
41 about how the proposed SMP rules are going to be created. The URP regulatory framework was  
42 used as a template, and it's mirrored, and revised where necessary to create the SMP rules.  
43 There's going to be no changes made to the existing URP rules, and they'll be left untouched. The  
44 existing URP rules have been found to be adequate and compatible by the NRC. The similarity  
45 between the URP and the SMP rules will help streamline the NRC review process. And that's  
46 why the rules are being presented in a blue strikeout and red underline format to clearly show the

1 differences between the URP and the SMP rules. And the same format will be used when we  
2 provide the changes and the differences between the URP and SMP to the NRC for their review.

3  
4 Okay, so we'll talk a little bit about the presentation schedule, and 3 out of 9 chapters will be  
5 presented at a time to the LQD Advisory Board. We have already presented group 1 which  
6 consisted of chapters; 2, 3, and 5. This was presented in the 3rd quarter 2023 on September 21,  
7 2023, at the last Advisory Board meeting. And then today we're presenting group 2 in the 4th  
8 quarter 2023 and that's going to be chapters; 1, 6, and 9. And then later our final group will be in  
9 the 1st quarter of 2024 that's going to be chapters 4, 7, and 8 sometime in the spring of 2024.

10  
11 So, after each group of rules are presented to The Advisory Board, the NRC will review them.  
12 Any comments from the NRC will be presented to the Board after the NRC has reviewed and  
13 commented on all 9 chapters. Once the NRC has reviewed chapters 1 through 9 the total SMP  
14 rule package will be presented to the board for a vote. Here's our outline of the proposed rules.  
15 Again, we've already presented chapters 2 to 3 and 5 in the last Advisory board meeting. And  
16 today we're going to go to chapter 1: General Provisions chapter 6: Financial Assurance  
17 requirements in chapter 9: transportation of radioactive material.

18  
19 And just a quick review of those previous group set. What we did changes in comparison to the  
20 URP rules in chapter 2 inspections enforcement penalties. We deleted all references related to  
21 uranium or thorium recovery or milling and the associated by product material is defined in  
22 section 11e.(2). We added language regarding source material recovered from any mineral  
23 resources processed primarily for purposes other than obtaining the source material content.  
24 In Chapter 3 radiation protection standards, in Chapter 5 notices instructions and reports to  
25 workers simply substituted the program name and that's from changes from Uranium Recovery  
26 Program to Source Material Program and both of these chapters.

27  
28 So in Chapter 1 that we are presenting today General Provisions, we substituted Source Material  
29 Program for Uranium Recovery Program in purpose and scope in those sections. We added  
30 mineral resources to the scope, and we removed definitions that only applied to the URP and  
31 section 6,10 CFR part 40, Appendix A. We removed that entire section and this section outlines  
32 the operation of uranium mills. We also reference Wyoming State statute for definitions that  
33 these definitions can be utilized right from statute and some of those is by product material and  
34 source material.

35  
36 And there's a microphone on, can someone shut that off please? We'll have time for questions at  
37 the end. I'm almost through with this presentation. Chapter 6 Financial Assurance, we substituted  
38 Source Material Program for Uranium Recovery Program again, and then we removed all of  
39 these references the non-applicable references to state statute. We removed NRC reference to  
40 public notifications or Wyoming DEQ has its own public notification process. We referenced  
41 long-term care and maintenance, removed references to long-term care and maintenance. That  
42 might not be applicable, and we removed references to aquifer restoration and impacted  
43 groundwater. That won't be applicable to the Source Material Program.

44  
45 And then in Chapter 9 in transportation we substituted Source Material Program for Uranium  
46 Recovery Program again, practically, all the exclusions are the same in section 3 in this chapter,

1 except we continue, we kept the 10 CFR part 71.85 as an exclusion. And then we'll still need to  
2 create a form specific to the SMP, the Source Material Program regarding this. All right, the final  
3 group that will be presented. It's going to be Chapter 4 licensing requirements Chapter 7 fees,  
4 Chapter 8 Risk Informed Performance Based Licensing and Inspection and these rules will be  
5 presented during the next Land Quality Advisory Meeting sometime the 1st quarter of 2024.  
6

7 And so now I will open up this presentation to any questions the Chairman or board members  
8 may have, so we have a cell for Carol, and we also have Brandi. She's the Program Manager of  
9 the Uranium and Source Material Program. So, if you guys have any questions, please go ahead  
10 and ask.

11  
12 CHAIRMAN GAMPETRO: Are there any questions or comments?  
13

14 BOARD MEMBER KOLKMAN: Mr. Chairman? This is board member Dawn, and I was just  
15 wondering if we will be going through each of the chapters after the-the questions here are  
16 taken?  
17

18 MS. O'BRIEN: Mr. Chairman, board members, we can go through line by line, if that would be  
19 helpful. However, um those were provided previously, and so we thought that was a little  
20 redundant since we had already outlined all the changes. But uh, if that would be helpful to the  
21 board, we would be more than happy to go through 1 by 1.  
22

23 BOARD MEMBER KOLKMAN: Mr. Chairman, I do have a few comments on some of the  
24 chapters, might just be 1 or 2 if I could ask them now get those out of the way?  
25

26 CHAIRMAN GAMPETRO: Go ahead.  
27

28 BOARD MEMBER KOLKMAN: Okay, on Chapter 1, section 3 scope. It states that the term  
29 mineral resources is defined in statute 35-11-2001 (a) looking that particular statute up, what I  
30 am reading is that is the authorization to negotiate transfer to certain Nuclear regulatory  
31 functions to the state. Maybe I am missing that mineral resources is, might be in there, but I'm  
32 not seeing it. So maybe it's by inference?  
33

34 CHAIRMAN GAMPETRO: Does anybody have an answer for that question?  
35

36 MS. O'BRIEN: Mr. Chairman, Board Member Kolkman. I am pulling that up right now, and I  
37 will...[pause] So, my computer is not working with me well right now, but Mr. Chairman and  
38 Board Member Kolkman. What we were attempting to reference and I can double-check to make  
39 sure we have the correct reference was in the statute where it defines source material. It is like  
40 the intent of this program, and it describes source material paying for minerals and resources on,  
41 the intent is not to include source material recovered for the purpose of recovering our source  
42 material that's already covered by the Uranium Recovery Program. And so, the intent was here to  
43 clearly define mineral resources and that was clearly defined in the statute, and that language was  
44 carefully selected and work with and NRC and...  
45

46 Find the mineral resources means any host rock or material or ways associated with mining or

1 milling that contains recoverable mineral. And so, what we wanted to do by defining mineral  
2 resources was have us stay within our area of expertise, which is mining or milling. We did not  
3 want to get into source material that was not related to mining or milling. And so that was the  
4 intent of that reference. And the reason we don't define it in the chapter is there had been  
5 direction previously for anything that is defined in statute. We need to reference that statute here  
6 as opposed to repeat it within our rules, that way changes them. So, we have to change it in one  
7 place. And so, I will double-check that reference to make sure it's correct.

8  
9 BOARD MEMBER KOLKMAN: Thank you.

10  
11 MR. HULTS: Board Member Kolkman that version of the statutes I had sent to you that  
12 would...

13  
14 BOARD MEMBER KOLKMAN: Yes.

15  
16 MR. HULTS: That would not include the 2023 Legislative session.

17  
18 BOARD MEMBER KOLKMAN: Okay.

19  
20 MR. HULTS: Source that language not being present.

21  
22 BOARD MEMBER KOLKMAN: It very well could be it. I am looking at the 2022 version that  
23 you sent me. Okay.

24  
25 MR. HULTS: Board Member Kolkman I believe in the past we had since, and I think it's still up  
26 on the proposed rules page was the language for House Bill (HB00061) and that should include  
27 that language in strike and underline format.

28  
29 BOARD MEMBER KOLKMAN: Very good. Thank you.

30  
31 CHAIRMAN GAMPETRO: Any other questions or comments? Are we ready to go to the  
32 presentation of the proposed revisions to Coal chapter 14, Exploration for Coal by Drilling and  
33 response to OSMRE October 24, 2023, concern letter? Are we ready to talk about that?

34  
35 MR. HULTS: Mr. Chairman, if there are no questions on SMP rules, I am happy to discuss  
36 Chapter 14.

37  
38 CHAIRMAN GAMPETRO: Let's go.

39  
40 MR. HULTS: Mr. Chairman, Board Members. This chapter may look familiar. It's got a fairly  
41 recent history with the board. In June 2021 we had sent in a formal amendment to OSM that  
42 amended Chapter 14. We received a concern letter in August 2022 where they had pointed out  
43 one issue with the chapter 14 that needed revision. And that was, some of you may remember the  
44 fish and wildlife change. We left out the term fish when we referenced wildlife. In 2023, we ran  
45 that past the board and resubmitted Chapter 14 to the correct that fish and wildlife error. We have  
46 since resubmitted Chapter 14 to the office of surface mining in September of this year.



1 OSM has now responded back with some additional concerns. Part of the issue, they had  
2 provided comments in an email that didn't get incorporated into the concern letter. They have  
3 brought those issues back up, and they also have an additional concern that wasn't pointed out in  
4 the 1st concern letters. So, we're basically going back for a 3rd round on this, and hopefully that  
5 will address all of the final comments. And what I'm going to walk through is the strike and  
6 underline chapter. Most of these changes are fairly self-explanatory, and I will be happy to  
7 answer any questions afterward.

8  
9 The first change that we had was on page 2 of the strike and underline. And this was in  
10 subsection e (iii), we had a typographical error where the word was "peart" instead of "part".  
11 We've made that change and then on page 4 of the strike underline chapter. This again was a  
12 mere typographical error. We removed the word condition from the original rule and replaced it  
13 somehow with the term location. We flipped it back to read that drill sites and associated  
14 ancillary road as defined in chapter 1 and 4 of these rules shall be restored as nearly as possible  
15 to their original condition.

16  
17 The 3rd comment is on page 5 of chapter 14. OSM felt that we needed to include the term  
18 division when referencing land quality. So we've inserted the term division in subsections C, D  
19 and E. And finally page 6. There is one more reference to land quality, and we added the term  
20 division. And that is the extent of proposed revisions to chapter 14. I'm happy to answer any  
21 questions on those.

22  
23 CHAIRMAN GAMPETRO: Questions or comments. Well seeing none. Let's talk about the  
24 update on the 2024 legislative session.

25  
26 MR. HULTS: Mr. Chairman before we move on the chapter 14 rules. I would like to advance  
27 those to the Environmental Quality Council for formal rulemaking. So, we would need a motion  
28 from the board to present them to the EPC.

29  
30 BOARD MEMBER KOLKMAN: Mr. Chairman. This is Dawn, and I would make a motion that  
31 we advance the chapter 14 rules.

32  
33 CHAIRMAN GAMPETRO: Is there a second to that?

34  
35 BOARD MEMBER COOK: Mr. Chairman, this is Bryan Cook, and I would second that motion.

36  
37 CHAIRMAN GAMPETRO: Okay. It's been moved and seconded, all those in favor signify by  
38 saying aye.

39  
40 BOARD MEMBER KOLKMAN: Aye

41  
42 BOARD MEMBER COOK: Aye.

43  
44 CHAIRMAN GAMPETRO: I guess I have to say aye to be majority and then seeing no  
45 discussion or argument on that, I'd say that passes.

46

1 MR. HULTS: Thank you, Mr. Chairman

2  
3 CHAIRMAN GAMPETRO: Yes.

4  
5 MR. HULTS: I said thank you.

6  
7 CHAIRMAN GAMPETRO: All right, let's move on then to the update on the 2024 legislative  
8 session.

9  
10 MR. HULTS: Thank you. Mr. Chairman. This is Craig again. I probably should have labelled  
11 this 2024 legislative session and workload for the Advisory Board. There's several pending draft  
12 legislation or bills currently working its way through the committees. Minerals committee  
13 mostly, there's also a regulatory reduction task force that is working on some proposed changes  
14 to the Environmental Quality Act and other statutes that may impact the DEQ a couple of the  
15 larger ones. There's a non-coal blasting statute that is in the works. So DEQ would be assuming  
16 regulation over blasting at non-coal mine operations. There's also legislation in the works that  
17 would possibly remove small mines from being approved in the future, existing ones would be  
18 grandfathered in.

19  
20 The other things that are working through some of the regulatory reduction efforts, these are kind  
21 of far-reaching where we don't exactly know what's going to come out of that task force. But  
22 there have been discussions that could impact DEQ as well, in tandem with that legislation there  
23 would be rule making efforts that would be associated once the legislation was passed.  
24 So we could have a very busy 2024 board schedule as far as potential rules. We will have  
25 another 3 chapters of SMP rules. We'll have one small revision pending for the Uranium  
26 Recovery Program to chapter 4 that will likely get presented at the next Advisory Board. There's  
27 also been some effort by the Mining Association in the coal work group to define the term final  
28 pit void as it relates to reclamation and bond release. That's a potential source of new rules as  
29 well. It could be a very busy 2024 and just wanted to give you a heads-up.

30  
31 CHAIRMAN GAMPETRO: Thank you, Craig, any comments or suggestions? Seeing none. Do  
32 you have some ideas for what the number 6, the Land Quality Board? What were talking about  
33 for a schedule?

34  
35 MR. HULTS: Yeah, Mr. Chairman, it's Craig again in the past. We've typically met during  
36 March, June, September, and December. I believe we would like to keep to that schedule. I know  
37 we have 2 new board members so my question at this point would be, we typically have met on  
38 Thursdays. I'm wondering if that's a conflict specifically, probably with Bryan?

39  
40 CHAIRMAN GAMPETRO: I don't hear anything.

41  
42 BOARD MEMBER COOK: I'm sorry. What was that?

43  
44 CHAIRMAN GAMPETRO: I don't hear anything.

45  
46 MR. HULTS: Board Member Cook in the past we have typically met on Thursdays, the March

1 meeting. It's generally the 3rd full week in March and I just, as kind of rule of thumb are  
2 Thursdays good or bad days?

3  
4 BOARD MEMBER COOK: Oh my apologies Craig. I was-I was trying to do a couple of things  
5 at once. I don't have any issues with Thursdays at this point.

6  
7 CHAIRMAN GAMPETRO: Does anybody have any issues with Thursdays? I don't.

8  
9 BOARD MEMBER KOLKMAN: Me either.

10  
11 MR. HULTS: Then, what I would propose is, since we are missing 2 of our board members. I  
12 don't want to set a date today for the next meeting, but I will send out a targeted date to each of  
13 the board members and schedule 1st quarter and potentially the remainder of the year. As far out  
14 as we possibly can if that would work for Board.

15  
16 CHAIRMAN GAMPETRO: Okay with me.

17  
18 BOARD MEMBER KOLKMAN: I would appreciate that.

19  
20 MR. HULTS: Excellent. Well, that was all that I had on the schedule, Mr. Chairman.

21  
22 CHAIRMAN GAMPETRO: Okay, any other items for discussion?

23  
24 MR. HULTS: Mr. Chairman, just one thing. I know Kyle would like to send his apology to the  
25 Board for not being here. He's been traveling quite a bit and was unable to attend.

26  
27 CHAIRMAN GAMPETRO: Well, thank you for that information. And I want to thank  
28 everybody for giving us their time and efforts to put these meetings on, thank you all, any other  
29 items for discussion?

30  
31 MR. HULTS: No, Mr. Chairman.

32  
33 CHAIRMAN GAMPETRO: And then this meeting is adjourned.

34  
35 MR. HULTS: Thank you all.

36  
37 BOARD MEMBER KOLKMAN: Thank you.

38  
39 CHAIRMAN GAMPETRO: Thank you.

40  
41 [END]