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2 BEFORE THE WATER AND WASTE ADVISORY BOARD  
3 STATE OF WYOMING

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6 HEARING TO DISCUSS GROUNDWATER MONITORING GRANT PROGRAM  
7 UPDATE AND MONITORING REIMBURSEMENT PROGRAM  
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10 TRANSCRIPT OF HEARING PROCEEDINGS

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12 Transcript of Hearing Proceedings in the above-  
13 entitled matter before the Water and Waste Advisory  
14 Board, commencing on the 14th day of March 2010 at 9:00  
15 a.m. at the Wyoming Department of Environmental Quality  
16 office, 152 North Durbin, Casper, Wyoming, Mr. Bill  
17 Welles presiding by telephone, with board members Lorie  
18 Cahn, David Applegate, Marjorie Bedessem and Tim Chestnut  
19 also appearing by telephone. Present in Casper was  
20 Mr. Mike Jennings.  
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1 PROCEEDINGS

2 (Hearing proceedings commenced 9:00  
3 a.m., March 14, 2010.)

4 CHAIRMAN WELLES: I will call this meeting  
5 of the Water and Waste Advisory Board to order. And  
6 everybody is present and on the telephone. So let's just  
7 get started, Mike.

8 MR. JENNINGS: Okay, fantastic. Well,  
9 Mr. Chairman, this is going to be kind of a short one.  
10 Again, as I mentioned at our last meeting, I'm kind of up  
11 to my eyeballs with the report right now. So there are a  
12 number that haven't been processed. But my time  
13 permitting, I get to them as much as I can. But what we  
14 do have here, first and foremost, is I have a number of  
15 full reimbursement recommendations. And as per our

16 previous meetings, I can just do a quick listing of who  
17 they are. And then if you wanted to move on those, that  
18 will be fine.

19 The first one I have here is for Fremont  
20 County, Little Sand Draw landfill. And it was for a plan  
21 development, work plan development. The second one is  
22 with Ten Sleep Solid Waste Disposal District for the Ten  
23 Sleep landfill. This is also for work plan development.  
24 City of Cody, this is the old Cody dump near the river,  
25 which is basically a responsible party as the City of

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1 Cody. And this is for Step 3, four quarters' worth of  
2 sampling and analysis.

3 Then I also have the Town of Burns. Now, this  
4 was a late one that I sent to you. I hope everybody got  
5 the packet in the mail. And again, this is for sampling  
6 analysis, third quarter. And then the last one under  
7 full reimbursement recommendations is the Town of  
8 Ranchester. And this is their fourth quarter of sampling  
9 and analysis.

10 And again, the Department's recommendation for  
11 all of these facilities for these particular steps in the  
12 program is full reimbursement.

13 MS. BEDESSEM: Mike, correct me if I'm  
14 wrong, but can we have the group, except for the old Cody  
15 landfill, be voted separately, since I need to abstain on  
16 that one?

17 MR. JENNINGS: Yes. I believe that's how  
18 we did that before with some others.

19 MS. BEDESSEM: Right. So we'd just  
20 separate them out like that, more appropriately.

21 MR. JENNINGS: Okay. So I guess with the  
22 exception of the old Cody one, if you want to lump Little  
23 Sand Draw, Ten Sleep, Burns and Ranchester together as a  
24 group, and we can just proceed with that.

25 CHAIRMAN WELLES: Okay. I would entertain

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1 a motion for Little Sand Draw, Ten Sleep, and we'll skip  
2 the old Cody dump at this point and go to Burns and  
3 Ranchester.

4 MR. CHESTNUT: This is Tim. I would move  
5 approval on all of those projects recommended for full  
6 reimbursement.

7 CHAIRMAN WELLES: Do we have a second?

8 MR. APPLGATE: This is Dave. I would

9 second.

10 CHAIRMAN WELLES: All those in favor  
11 please say aye.

12 (All members vote aye.)

13 CHAIRMAN WELLES: Any nays?

14 (No response.)

15 CHAIRMAN WELLES: Hearing none, motion  
16 passes for those -- Little Sand Draw, Ten Sleep, Burns  
17 and Ranchester.

18 MR. JENNINGS: Okay. Thank you,  
19 Mr. Chairman.

20 Then the other one we have, which Ms. Bedessem  
21 was going to abstain from, is the City of Cody, old Cody  
22 dump, for the four quarters of sampling analysis. And  
23 again, on this one, the Department is recommending full  
24 reimbursement.

25 CHAIRMAN WELLES: Okay. Could I have a

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1 motion?

2 MR. CHESTNUT: This is Tim. I would move  
3 approval of the City of Cody, old Cody dump.

4 CHAIRMAN WELLES: And a second, please.

5 MR. APPLGATE: This is Dave. I second.

6 CHAIRMAN WELLES: Okay. All those in  
7 favor please say aye.

8 (All members vote aye.)

9 CHAIRMAN WELLES: None opposed. So the  
10 motion passes, City of Cody, the old Cody dump.

11 MR. JENNINGS: Okay. Thank you,  
12 Mr. Chairman.

13 And then we have two under partial  
14 reimbursement. The first one is Fremont County Solid  
15 Waste Disposal District, the Little Sand Draw landfill.  
16 And this was for some additional well installation field  
17 work. And if you've got your packets with you, we  
18 reduced -- the Department's recommendation was partial  
19 reimbursement. We took out some money for work that  
20 appeared to be related to ineligible sampling and  
21 analysis work, plus some excessive mileage rates.

22 And additionally, they had some downhole camera  
23 use. And I apologize. That's not necessarily on the

24 agenda, but I just wanted to make sure you understood it.  
25 The Department deducted \$1,460 for downhole camera use

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1 and rental fees that were charged by the consultant. The  
2 reason we did that was, first of all, it's very unusual.  
3 We haven't seen that before. But more to the point, the  
4 downhole camera use was not specified in the work plan,  
5 nor did its use occur anywhere in the narrative from the  
6 report that we got from them. In other words, if it was  
7 used, we're not sure why or what results we got from  
8 that. And this information I got from the project  
9 manager in Lander. And so that's why we've decided to  
10 recommend not reimbursing for the downhole camera use.

11 Does anybody have any questions of me on that  
12 one?

13 MS. CAHN: I have a question on that one.  
14 This is Lorie. If the applicant were to later submit  
15 information about the downhole camera used, in terms of  
16 why it was important, what they learned from it, why it  
17 was necessary, would they then be able to resubmit for  
18 possible consideration of reimbursement for that?

19 MR. JENNINGS: Yes. As in most cases with  
20 that, if they can provide some documentation of the  
21 necessity of it, personally, I wouldn't have a problem  
22 reviewing it again.

23 MS. CAHN: Okay. Thank you.

24 MR. JENNINGS: Any other questions?

25 MR. CHESTNUT: Hearing none, Mr. Chairman,

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1 I would move we approve the DEQ recommended amount of  
2 \$23,430.25 for Fremont County Solid Waste Disposal  
3 District, the Little Sand Draw landfill.

4 MS. CAHN: This is Lorie, I second.

5 CHAIRMAN WELLES: All those in favor  
6 please say aye.

7 (All members vote aye.)

8 CHAIRMAN WELLES: Opposed?

9 (No response.)

10 CHAIRMAN WELLES: Hearing none, motion  
11 passes for Little Sand Draw.

12 MR. JENNINGS: Thank you, Mr. Chairman.

13 The last one, then, on the agenda is for the  
14 Ten Sleep landfill for the Ten Sleep Solid Waste Disposal

15 District. This was also for field work. And the  
16 Department reduced some of the monies on that in its  
17 recommendation.

18 And I'm just going to go straight to the  
19 documentation here just to kind of reiterate it for you.  
20 There appeared to have been some mileage which was also  
21 included in a daily rate. So we gave them the larger of  
22 those two. We don't recommend on doubles on that. There  
23 were some excessive vehicle mileage rates. Again, we  
24 applied the IRS rate in effect at the time. There also  
25 appeared to be some work on some ineligible sampling

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1 issues. And that was about it in general on that.

2 Does anybody have any questions?

3 CHAIRMAN WELLES: Hearing no questions,  
4 could we have a motion on that, Ten Sleep?

5 MR. CHESTNUT: Mr. Chairman, I would move  
6 approval on the Ten Sleep Solid Waste District landfill  
7 in the amount of 25,615.33.

8 MS. CAHN: This is Lorie. I second.

9 CHAIRMAN WELLES: All those in favor  
10 please say aye.

11 (All members vote aye.)

12 CHAIRMAN WELLES: Opposed?

13 (No response.)

14 CHAIRMAN WELLES: Hearing none, motion  
15 passes for Ten Sleep.

16 MR. JENNINGS: Thank you, Mr. Chairman.

17 And then just if I may, let me give you a quick  
18 update on where we're at with the program. As of March  
19 24th of this year, we had expended a little over \$157,000  
20 on Step 1 work plan grants, just sort of \$2 million for  
21 field investigation work and just short of \$100,000 for  
22 sampling and analysis, for total grants of a little more  
23 than \$2,171,000. We still have about \$5.8 million left  
24 on that, with the exception of what we've approved today.

25 As far as the completion status on that, it

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1 hasn't changed a whole lot from the last one. We haven't  
2 really received any more -- we received one more work  
3 plan, I believe, from our previous meeting. We're up to  
4 about 93 percent of those that we asked. And we've  
5 approved 96 of the 98. We're doing really good with

6 that. We've got a lot of drilling reports in now. We've  
7 got 76 percent of those taken care of. And the approval  
8 on a number of those is lagging because, on some of them,  
9 we have some iterative work, again, where we find  
10 groundwater flow directions have been inadequately  
11 delineated. We have to request additional work to go  
12 back in and get those taken care of.

13 And part of the work I've been doing putting  
14 the report together, just to give you kind of some idea  
15 where the monies have gone, I did a quick-and-dirty  
16 tabulation. And it looks like, throughout the entire  
17 state, per this program, just shy of 290 monitoring wells  
18 have been installed at facilities throughout the state.  
19 Not all of those were included. They either haven't  
20 submitted yet for reimbursement. But we have a database  
21 down in Cheyenne.

22 So at any rate, we've got a fair number of  
23 wells in there. We've been almost completed with the  
24 statistical analysis for those groundwater samples. And  
25 the district managers are getting that information to me.

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1 I've got a rough draft of the report that the manager and  
2 I are taking a look at, and we're going to be getting  
3 that thing put together. And again, I very much intend  
4 to get that information to you folks as soon as I can to  
5 kind of update you on what we found out with everything.

6 But that's kind of where the program is at the  
7 moment. Does anybody have any questions of me?

8 CHAIRMAN WELLES: Mike, when is your  
9 report due?

10 MR. JENNINGS: It is absolutely due by  
11 June 30th. However, typically, the legislature likes to  
12 see it 30 days in advance. And so we've got a schedule  
13 set up to where, yes, we very much intend to get it to  
14 them by that date.

15 CHAIRMAN WELLES: Okay.

16 MR. JENNINGS: Anything else?

17 MR. CHESTNUT: Just nice work.

18 MR. JENNINGS: Well, thank you very much.

19 And again, I appreciate all of you folks' help with this.

20 If I may, Bill, again, as per previous, you  
21 should have those cost spreadsheets. And if you've got  
22 the numbers in front of you, they should be on the

23 agenda. If you just want to transfer those over --

24 CHAIRMAN WELLES: Yep.

25 MR. JENNINGS: -- to the cost spreadsheets

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1 and then pop them in the mail to me, that would be great.

2 Again, I want to thank the board for taking the time. I  
3 hope this teleconferencing is working out to at least  
4 everybody's expectations. And I hope, also, and again,  
5 with an eye towards getting folks' money back to them as  
6 quickly as possible, because like I say, I have six or  
7 seven reimbursements pending on this, I may, with your  
8 approval, ask for some more, shall we say, short-stopped  
9 teleconferences if it's not too much of a hassle. And  
10 I'll certainly let you know in advance.

11 I believe that the water quality folks, I think  
12 they're scheduling a meeting with you folks sometime in  
13 the latter part of July. And if we've got reimbursements  
14 ready for that, we'd certainly like to present them then.  
15 But if I've got some stuff ready in June, assuming that  
16 we've got the report knocked out, I should have some time  
17 to work on some more reimbursements. And again, I'll be  
18 approaching you folks sometime before then to see if you  
19 might be willing to have another one of these  
20 teleconferences.

21 CHAIRMAN WELLES: Okay. And I would like  
22 to -- just for the rest of the board, we've all received  
23 an e-mail this morning from John Wagner concerning the  
24 proposed meeting in Jackson for July 21st and 22nd. And  
25 so if you haven't seen that yet on your e-mail, it's

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1 there this morning. And I also e-mailed John back to get  
2 an update from him on what transpired at the last coal  
3 bed methane water advisory group or whatever they're  
4 calling themselves that met the first of April in  
5 Gillette. I was unable to attend because of a snowstorm.  
6 But hopefully he'll get us a small report out on that,  
7 too.

8 MS. BEDESSEM: That sounds terrific.

9 MR. JENNINGS: Well, folks, that's all I  
10 have, Mr. Chairman. But again, I want to thank everybody  
11 for participating and helping me out with this.

12 MS. CAHN: Thank you.

13 CHAIRMAN WELLES: Thank you. Appreciate

14 your participation.  
15 (Hearing proceedings concluded  
16 9:16 a.m., April 14, 2010.)  
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3 I, RANDY A. HATLESTAD, a Registered Merit  
4 Reporter, do hereby certify that I reported by machine  
5 shorthand the proceedings contained herein constituting a  
6 full, true and correct transcript.  
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8 Dated this 26th day of April, 2010.  
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15 RANDY A. HATLESTAD  
16 Registered Merit Reporter  
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