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BEFORE THE WATER AND WASTE ADVISORY BOARD  
STATE OF WYOMING

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HEARING TO DISCUSS MONITORING  
REIMBURSEMENT PROGRAM  
REIMBURSEMENTS  
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TRANSCRIPT OF HEARING PROCEEDINGS

Transcript of Hearing Proceedings in the  
above-entitled matter before the Water and Waste Advisory  
Board, commencing on the 29th day of July at 9:06 a.m. via  
telephone and video-conference, Mr. Bill Welles presiding  
with Board Members Mr. David Applegate, Mr. Glenn Sugano  
and Ms. Lorie Cahn present. Also present were Mr. Mike  
Jennings, Mr. Bob Doctor and Mr. Carl Anderson.

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P R O C E E D I N G S

(Hearing proceedings commenced  
9:06 a.m., July 29, 2011.)

CHAIRMAN WELLES: This is Bill Welles from  
Buffalo representing agriculture. Could I have -- Lorie,  
you're there?

MS. CAHN: Yes. This is Lorie Cahn  
representing the public at large.

MR. APPLGATE: This is Dave Applegate  
representing industry.

MR. SUGANO: Glenn Sugano representing  
local government.

CHAIRMAN WELLES: And we're missing --

MS. CAHN: Marge Bedessem.

CHAIRMAN WELLES: Marge Bedessem, also  
representing industry or local government?

MS. CAHN: No, she's public at large.

CHAIRMAN WELLES: Public at large. I'm  
sorry. I'm trying to do three things here. I'll have to  
quit doing that.

Well, let's go ahead and proceed with -- we have  
a full reimbursement recommended for the Town of Hanna.

MR. JENNINGS: Okay. Thank you,  
Mr. Chairman. Mike Jennings here.

Yeah, there's -- there are some interesting ones

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here, but hopefully, I can make it so it's fairly  
straightforward for you. If you have a copy of your  
monitoring reimbursement program agenda dated July 29,  
2011, if for some reason you don't, I also have it up on  
the screen on the live meeting link if, indeed, you want to  
do it that way. At any rate, obviously, at any time if  
you've got any questions or anything, stop me, but I'll  
proceed, then.

9 First one I have is for the Town of Hanna. They  
10 basically have a couple of additional invoices that, for  
11 whatever reason, didn't get to this office, or at least  
12 that we couldn't find in their first application for first  
13 and second quarter sampling and analysis. They did submit  
14 those. I checked them, they're fine, and I recommended and  
15 the department is recommending full reimbursement for that  
16 amount. Does anybody have any questions on that  
17 application?

18 CHAIRMAN WELLES: Hearing no questions --  
19 this is Bill Welles speaking -- could we have a motion?

20 MS. CAHN: This is Lorie. I move that we  
21 approve the full reimbursement recommended for the Town of  
22 Hanna.

23 MR. APPELATE: Dave Applegate. I'll  
24 second.

25 CHAIRMAN WELLES: Okay. We have a motion  
0004 and a second. Is there any question?

1 Hearing no question, could we have a vote,  
2 please? All those in favor please say aye.

3 MR. SUGANO: Aye.

4 MR. APPELATE: Aye.

5 CHAIRMAN WELLES: Aye. Okay. I guess we  
6 can go ahead and pass that, and let's move on to the  
7 partial reimbursement for the Town of Guernsey.

8 MR. JENNINGS: Okay, Mr. Chairman. Thank  
9 you. Mike Jennings again.

10 Okay. Under partial reimbursement, first one for  
11 the Town of Guernsey. We dealt with this one at a prior  
12 Water and Waste Advisory Board meeting, and at that time  
13 we -- out of the total amount recommended -- they had a  
14 total of four wells, and at that time the project manager  
15 was concerned about the completion of that well, and that  
16 being the case, we withheld one-quarter of that  
17 reimbursement recommendation because of the project  
18 manager's concerns about how that well was put in.

19 Additional information was then supplied by the  
20 consultant and the project manager with the Department of  
21 Environmental Quality concluded that at that point that  
22 there was sufficient cause to believe that the well had  
23 been installed as adequately as possible under the  
24 conditions and so turned around and recommended that we  
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0005 reimburse for that one.

1 So even though it's under the partial  
2 reimbursement recommendation, which is where this facility  
3 was when it applied previously, that's why it's there.  
4 Nonetheless, the quarter of the funds that we pulled out,  
5 which was \$8,971.92, we are now coming back under the same  
6 application essentially and recommending that we reimburse  
7 them for that amount. I realize that's a little  
8 convoluted, but does anybody have any questions about that?

9 CHAIRMAN WELLES: Hearing no questions --  
10 this is Bill Welles speaking -- I would ask for a motion to  
11 pass this.

12 MR. APPELATE: This is Dave Applegate. I  
13 move we reimburse the Town of Guernsey as recommended by  
14 Mike Jennings.

15 MR. SUGANO: Glenn Sugano. I'll second.

16 CHAIRMAN WELLES: Okay. Having the motion  
17 and a second, all those in favor please say aye.

18 MR. APPELATE: Aye.

20 MR. SUGANO: Aye.  
21 MS. CAHN: Aye.  
22 CHAIRMAN WELLES: Aye. Motion passes. So  
23 let's move on to the Eden Valley landfill.  
24 MR. JENNINGS: Okay, Mr. Chairman. Mike  
25 Jennings again. Thank you so much.

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1 Okay. Eden Valley landfill. We are  
2 recommending -- it is essentially full reimbursement, but  
3 it is at 50 percent. That's why it's actually under the  
4 partial reimbursement category, because the consultant for  
5 Eden Valley -- and the correspondence was included in your  
6 packets. The consultant believed that the district,  
7 because it numbered more than 1300 people, qualified, per  
8 our criteria, for 75 percent reimbursement.  
9 That has not been our position on this and we  
10 double-checked with the State Land & Investment folks, who  
11 originally came up with this formula, and they concurred  
12 that no, that 1300 is specifically for municipalities, not  
13 for districts. That's how they interpret it, so that is  
14 our position on that.  
15 So our recommendation was, then, for 50 percent  
16 reimbursement and that's why the difference between the  
17 amount they wanted and what we've actually recommended on  
18 that one. Again, it's a little convoluted, but that was  
19 our position. Does anybody have any questions on that one?  
20 CHAIRMAN WELLES: Hearing no questions, I'd  
21 ask for a motion.  
22 MR. SUGANO: This is Glenn Sugano. I'll  
23 move to approve the Eden Valley application.  
24 CHAIRMAN WELLES: Do we have a second,  
25 please?

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1 MS. CAHN: This is Lorie. I'll second.  
2 Did we just lose somebody?  
3 MR. JENNINGS: It sounds like Marge.  
4 Marge, that you?  
5 MS. CAHN: Is Dave there?  
6 CHAIRMAN WELLES: Hello? Dave? We just  
7 lost somebody.  
8 MR. JENNINGS: Mr. Chairman, Mike Jennings  
9 here. It doesn't appear that Dave is responding. I'm not  
10 sure if he got dropped off the bridge or what's going on  
11 here. Hopefully, he'll call back in just a minute. Would  
12 you like to suspend the proceedings for just a moment?  
13 CHAIRMAN WELLES: Well, I think we'll have  
14 to.  
15 MR. JENNINGS: Yeah.  
16 MR. DOCTOR: This is Bob Doctor.  
17 Mr. Chairman, I tried to call Marge on her cell phone and I  
18 just got her answering machine. So no luck trying to track  
19 her down.  
20 There he is.  
21 MR. APPLGATE: I'm back.  
22 MR. JENNINGS: Mr. Chairman, Mike Jennings  
23 here. David, did you hear our discussion about Eden  
24 Valley? I'm not sure when you lost us.  
25 MR. APPLGATE: I did. I was getting ready

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1 to second the motion.  
2 MR. JENNINGS: Okay.  
3 MR. APPLGATE: So I'm in favor. I'm an  
4 aye.

5 CHAIRMAN WELLES: This is Bill Welles. We  
6 have -- Glenn made the motion and Lorie seconded, and so  
7 all those in favor, please say aye.  
8 MR. SUGANO: Aye.  
9 MR. APPELATE: Aye.  
10 CHAIRMAN WELLES: Aye.  
11 MS. KAHN: Aye.  
12 CHAIRMAN WELLES: Motion passes for Eden  
13 Valley. So let's move on to Sweetwater County.  
14 MR. JENNINGS: Okay, Mr. Chairman. Mike  
15 Jennings again. The last one in our recommendations was  
16 for Sweetwater County for three of their landfills. This  
17 was for some additional fieldwork that we requested. There  
18 were some reductions, minor reductions, due to some  
19 undocumented labor charges, plus they had an ineligible 10  
20 percent markup on the driller's charges and those were  
21 removed. We received no comments from the applicant. Does  
22 anyone have any questions on this recommendation?  
23 MR. SUGANO: Mr. Chairman, Glenn Sugano.  
24 CHAIRMAN WELLES: Yes, sir.  
25 MR. SUGANO: I'm a former employee of the

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1 solid waste district, but since I'm no longer employed, I  
2 don't think I have a conflict. Should I just continue on  
3 with the proceedings?  
4 CHAIRMAN WELLES: I think so.  
5 MR. SUGANO: Okay. Thank you.  
6 CHAIRMAN WELLES: Okay. Any other question  
7 concerning this? I see the consultant is Trihydro. So  
8 Marge would have to recuse herself, but she's not here. So  
9 I would ask for a motion.  
10 MS. CAHN: This is Lorie. I move that we  
11 approve Sweetwater's DEQ's recommendation.  
12 CHAIRMAN WELLES: Do we have a second,  
13 please?  
14 MR. APPELATE: This is Dave Applegate. I  
15 second.  
16 CHAIRMAN WELLES: Okay. We have a motion  
17 and a second. All those in favor please say aye.  
18 MR. SUGANO: Aye.  
19 MR. APPELATE: Aye.  
20 MS. CAHN: Aye.  
21 CHAIRMAN WELLES: Aye. Motion passes.  
22 MR. JENNINGS: Okay. Mike Jennings again,  
23 Mr. Chairman. Thank you so much.

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1 And just as a quick wrap-up on our funds to date,  
2 work plan grants, we've expended just under \$180,000; field  
3 investigation grants, just under \$2.5 million; and for  
4 sampling and analysis, a little over a quarter of a million  
5 dollars. Total grant funds that have been expended to  
6 date, \$2,923,000 and change. Remaining grant funds, just a  
7 little over \$5 million.  
8 And that will kind of conclude my part of it.  
9 Does anybody have any other questions regarding the  
10 reimbursement applications?  
11 Okay. Well, not hearing any, Mr. Chairman, if  
12 you'd like, I'll turn this over to Bob Doctor and he can go  
13 into his part of this on the prioritization criteria that  
14 we've been working on.  
15 CHAIRMAN WELLES: Okay. That sounds good.  
16 MR. DOCTOR: Thank you, Mr. Chairman.  
17 Thanks, Mike.

16 When you got that explanation via e-mail  
17 regarding the priority list, we kind of ran it through  
18 internally a lot of different people. And, Carl, I don't  
19 know if you want to add anything to that. We checked with  
20 our IT guys, Carl and John Corra both reviewed it, and came  
21 up with this list that we sent you a week or so ago. You  
22 know, whenever you're comfortable with it, I think we're  
23 ready to get cranking on it.

24 So, Carl, if you want to add something, I'll give  
25 you the floor, or the phone.

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1 MR. ANDERSON: This is Carl. You know, I  
2 really don't have anything to add. I guess we would just  
3 entertain any questions or discussions you have regarding  
4 the -- Bob's e-mail and the revised criteria table, but  
5 before that, I want to take just a second to welcome Glenn  
6 back. Nice to have you back, Glenn.

7 MR. SUGANO: Well, thank you, Carl.

8 MR. ANDERSON: You bet.

9 CHAIRMAN WELLES: This is Bill Welles. I  
10 would ask the rest of the Board, did everybody receive that  
11 e-mail and updated version of the priority list?

12 And I see we only had one comment. That was from  
13 Lorie. So I'm hoping that everybody has that in their hand  
14 and has read it, and if there are any other questions,  
15 please go ahead.

16 MR. SUGANO: This is Glenn Sugano. I had  
17 some comments, but I e-mailed them to Bob Doctor and he  
18 pretty well satisfied my question.

19 CHAIRMAN WELLES: Okay.

20 MR. DOCTOR: Do you want to rattle off what  
21 those are, Glenn? If you guys want to hear those, I'm sure  
22 Glenn and I could go through them for you.

23 CHAIRMAN WELLES: This is Bill. I would  
24 say we should hear them.

25 MR. DOCTOR: Go ahead, Glenn.

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1 MR. SUGANO: Okay. Glenn Sugano. I just  
2 wondered where the numbers came up on the proximity of  
3 leaching to groundwater. There were numbers of 80 feet, 35  
4 to 80 feet, and then less than 35 feet. I questioned where  
5 those numbers came from. Bob, can you give us your  
6 explanation there?

7 MR. DOCTOR: Yeah. What we did was based  
8 on the existing database, we looked at what the mean and  
9 median depths of groundwater were, and I think the mean was  
10 62 and the median was about 44, right in that range, and so  
11 that's the basis for this.

12 One thing that I mentioned to Glenn, and I think  
13 it's good that you guys are hearing also, is that these  
14 numbers may need to be adjusted as we start working on  
15 this. If they all fall under into one category, it's not  
16 doing us much good. So if that happens, we'll adjust it a  
17 little bit so it actually does help us to differentiate  
18 between the categories.

19 CHAIRMAN WELLES: This is Bill. So these  
20 figures of 80 feet, 35 to 80, and less than 35, those --  
21 what you're saying is those could change, depending upon  
22 how this moves forward.

23 MR. DOCTOR: Correct.

24 CHAIRMAN WELLES: So it's not set in stone.

25 MR. DOCTOR: That's correct, Mr. Chairman.

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CHAIRMAN WELLES: Okay.  
MR. SUGANO: Glenn Sugano again. The other point I was asking about was the soil types. You mentioned that fractures are identified in some of the soil types. I wondered how you find fractures. Does the landfill owner identify where he thinks the fractures are or are we talking fractures in the bedrock? I just wasn't clear on what that meant, Bob.

MR. DOCTOR: Yes. And what we'll do on that is look at the well logs for the monitoring wells that were drilled that are in either -- in most cases in -- for permanent landfills, they're in the applications or the well logs that we received with this drilling. And that would be the field interpretation by the field geologist that was on site at the time the wells were drilled. And we'll use those well logs and research that to come up with the answer for that question.

MR. SUGANO: Glenn Sugano. That sounds fine, Bob.

CHAIRMAN WELLES: This is Bill Welles. Are there any other questions?

MR. SUGANO: Glenn Sugano. I had one more, Bill.

CHAIRMAN WELLES: Go ahead.  
MR. SUGANO: Under "Other Professional

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Judgment," I know we talked about that at our last advisory board meeting, I was just hoping that Bob would have some written comments when he did use his professional judgment. I think that would be good for the landfill owners to see the comments that DEQ had about the landfill.

MR. DOCTOR: This is Bob. You know, one of the things that we put on there, "Other, please specify," we will definitely list out whatever the -- you know, the odd duck or special circumstances is.

One of the things we did do after our discussion last time -- and, David, this, I think, falls a lot in line with some of the things you were raising about the importance of professional judgment is I think we bumped that category up to -- like to a three, and I don't know if it was a one or two before, but if there are some extenuating circumstances in there, it will definitely be listed and that will be evaluated.

CHAIRMAN WELLES: This is Bill, then. Does that answer everyone's question concerning the "Other Professional Judgment"?

MR. APPLIGATE: This is Dave Applegate. I have no comments on the table. I think it's been improved and appreciate WDEQ's effort to make modifications and changes.

CHAIRMAN WELLES: This is Bill. Lorie, do you have any questions?

MS. CAHN: No, I don't. I just want to thank DEQ, because I appreciated the e-mail that we got, and it explained why they had changed from our recommendations to make it something that would be more practical. I appreciate that e-mail and I thought that was -- as I said in my e-mail, I appreciated the good dose of practicalism.

MR. DOCTOR: This is Bob. You know, it's hard. You know, we're scientists. We're sitting there thinking of all these things that we could be looking at if

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12 we really wanted to auger in, and when we took a lot at it,  
13 we -- and I think Carl and John Corra, to some degree,  
14 brought me back to earth with the practicality of what is  
15 the legislature asking for, how much time do we have to get  
16 it and the fact that we're going to be going into much more  
17 detail on each site individually later. So I think I saw  
18 the light, Carl. Thank you.

19 CHAIRMAN WELLES: This is Bill. Is it too  
20 late to send you back to Washington?

21 (Laughter.)

22 MR. DOCTOR: Well, I don't think anything  
23 is going to be happening for a few days back there, so you  
24 might as well.

25 MR. SUGANO: Glenn Sugano. I would also  
0016 like to compliment Bob for the work that he did. I think  
1 it's really been streamlined and easy to follow. So I  
2 commend you for that, Bob.

3 MR. DOCTOR: Mike just went off-line to  
4 make a smart-aleck comment, but thanks, Glenn.

5 You know, as soon as we're ready to go with this,  
6 the gang is going to start investigating facilities and,  
7 you know, just ballparkish, I think, depending on how  
8 things go with this, you know, we may have ten that we call  
9 high priority, and I would expect that we're talking about  
10 a handful that are along the lines of fairly quick  
11 implementation, which segues me on into Carl. I don't know  
12 if you want to mention the meeting we had with  
13 representatives from the Solid Waste & Recycling  
14 Association and the Citizens Advisory Group the other day,  
15 Carl.

16 MR. ANDERSON: Yeah. This is Carl. Yeah,  
17 Bob, I think we should. You know, there's -- as you may  
18 know -- and I'm not sure how much we talked about this in  
19 the past, but, you know, back, you know, sort of in the --  
20 like the 2004 time frame, there was an advisory group that  
21 was convened by Governor Freudenthal to look at solid waste  
22 issues. And that advisory group was composed of some  
23 representatives from the communities, consultants, DEQ  
24 representation, and that committee developed a report and  
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0017 identified at that time what seemed to be the pressing  
1 solid waste issues. Those included improved recycling,  
2 regionalization and remediation of impacted landfills.

3 That report to the governor ultimately led to the  
4 legislation regarding integrated solid waste management  
5 planning and the groundwater reimbursement program that you  
6 guys are so familiar with. So we've -- as a result of that  
7 first CAG effort, there was some significant progress made  
8 in getting a better understanding about solid waste issues  
9 in the state and there was subsequent legislation, and even  
10 in the last legislative session, there was still more solid  
11 waste legislation.

12 But given that, you know, the planning efforts  
13 and the groundwater reimbursement program have moved  
14 forward, there's been, you know, quite a bit of discussion  
15 among the communities and the landfill operators about, you  
16 know, some of the other issues that have been created by,  
17 you know, some of this -- through the integrated solid  
18 waste management planning and through the groundwater  
19 reimbursement program and communities have identified other  
20 needs.

21 So the CAG, the Citizens Advisory Group, along

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with the Wyoming Solid Waste & Recycling Association, have  
approached DEQ to go to the governor, to Governor Mead, and  
sort of reconvene the CAG -- call it CAG 2 or something

like that -- to begin addressing some of these other  
issues.

And the issues revolve around -- there's three  
issues that the three organizations, DEQ, the recycling  
association, the CAG, have identified. One is transfer  
stations. Because many communities are going to  
regionalization, there's a need for landfills to close and  
to develop methods to transfer waste from where the closed  
landfill is to a regional landfill, and so there are some  
funding issues associated with those transfer stations.

There are monies available through State Lands,  
but, you know, those are competitive and don't necessarily  
satisfy all of the needs. So there's the issue of just  
purely closing a landfill and transferring your waste to a  
regional facility.

There are issues associated with the landfill  
closure. You know, many of the communities haven't put  
away monies to be able to adequately close landfills. So  
landfill closure is an issue.

And then finally, there's the piece related to  
the groundwater reimbursement program, that being, you  
know, the magnitude of the potential environmental  
liability associated with the contaminated landfills.

So the CAG is going to want to talk to the  
governor and ultimately with the legislature about those

issues and some potential solutions.

In particular, there's the potential that the  
discussions regarding landfill closure and remediation may  
have some impact on the prioritization of landfills.  
Because there's been some discussion about the fact that  
when you talk about capping a landfill, adequately capping  
a landfill, that's really a remediation activity, and  
whether or not, you know, the funds that have been -- or  
could potentially be obligated to assist communities to  
remediate groundwater contamination, should we consider,  
you know, capping as, you know, part of that remediation,  
and that if there's an opportunity to cap landfills at the  
same time you're doing active remediation at the higher  
priority landfills, then maybe that's a mix that needs to  
be looked at.

So I guess the point of this sort of long  
discussion is that, you know, we're in somewhat of a bit of  
a state of flux with regard to solid waste and, you know,  
the Board may be involved, you know, in other ways with  
respect to how, you know, things play out with, you know,  
particularly, you know, the landfill prioritization and the  
priority criteria.

CHAIRMAN WELLES: This is Bill. Carl, we  
appreciate that summary, and I was thinking as you were  
discussing this that it would be nice to have that, you

know, as sort of an auxiliary report, but then I realized,  
well, this is being recorded and we will get the minutes  
from the meeting anyway. So I think that will probably be  
sufficient, unless any board member has another idea about  
how to do that. Because I do think this is very important  
that we are kept abreast of what our role may be and also,  
you know, how we may help out in the process.

8 MR. ANDERSON: Mr. Chairman, this is Carl  
9 again. You know, we are in the process of -- the CAG, the  
10 Solid Waste & Recycling Association and DEQ are in the  
11 process of drafting a letter to the governor's office about  
12 this.

13 CHAIRMAN WELLES: Okay.

14 MR. ANDERSON: And once we finalize that  
15 letter and send it off to the governor's office, we'd be  
16 happy to copy the Board on that correspondence. It sort of  
17 summarizes -- you know, it talks about what I talked about  
18 with where we're at and where we think we need to go and  
19 we'd be happy to copy that to the Board.

20 CHAIRMAN WELLES: This is Bill. I would  
21 appreciate that. I think we all would. And like I say,  
22 whatever we can do to help out, whether it's from a -- I  
23 don't suppose we can actually lobby, but we can certainly,  
24 hopefully, use our persuasive, if we have such a thing, our  
25 persuasive opinions.

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1 MR. ANDERSON: Mr. Chairman, this is Carl  
2 again. It's just -- you know, I think it's good for you  
3 guys to be aware, because solid waste issues are up in the  
4 radar, and it may be sometime before, you know, we work  
5 through the issues, and so I think keeping you guys  
6 informed is a good thing.

7 CHAIRMAN WELLES: This is Bill Welles. Are  
8 there any other comments from the Board?

9 Hearing none, go back to Bob, I guess. Anything  
10 further?

11 MR. DOCTOR: I have a quick protocol  
12 question. This is Bob. I don't know if it's Carl, or  
13 whatever. I intend to have draft rules finished by the end  
14 of August if it kills me. My question would be can those  
15 draft rules come to a board meeting without first being out  
16 in public? I suspect that that may not be possible, which  
17 means we would probably be publishing formally, starting  
18 the formal rulemaking process about the end of August.

19 So with that, I think, being the proper protocol,  
20 Carl, what I would hope to bring to you guys at the end of  
21 August before we actually go formally out for public  
22 notification on the draft rule changes is to come to you at  
23 the next meeting with kind of an outline summary of some of  
24 the main issues in the rules that we're looking to address  
25 so that you're kind of mentally prepared for some of the

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1 things that you're going to be seeing in the rules. I just  
2 want to make sure that that's appropriate, because I don't  
3 want to get crossways with our requirements for rule-  
4 making. Maybe this is one for Carl to address.

5 MR. ANDERSON: Mr. Chairman, this is Carl.  
6 We've done something similar in the hazardous waste program  
7 with the Environmental Quality Council. We, you know,  
8 presented to them at a pretty high level, you know, just,  
9 you know, generally what the rule package they'd be seeing  
10 was going to look like and after that rule package had been  
11 through the Water, Waste & Advisory Board.

12 So, Bob, I think so long as the conversation is  
13 generic and really doesn't talk about specific provisions  
14 within rules, I think we're okay.

15 MR. DOCTOR: One of the things -- this is  
16 Bob again, Mr. Chairman -- that I believe there is a board  
17 meeting scheduled for the 30th of September in Cheyenne,  
18 and what we would anticipate doing is getting the public

19 notice out 30 days in advance of that and having the draft  
20 rule package formally hitting the streets about that time  
21 so that at your September 30th meeting we would be starting  
22 to tackle the rule change process.

23 And it will, of course, involve Chapter 2 of our  
24 rules, which is the municipal landfill rules, which are  
25 specifically impacted by the recent legislation, but that

0023 1 also ripples through our financial assurance requirements  
2 in Chapter 7 of our rules and also definitions and other  
3 procedures in Chapter 1 of our rules. So there's those  
4 three chapters.

5 And in addition to that, we're taking a look at  
6 Chapter 6 of our rules, which are the requirements for  
7 transfer, treatment and storage facilities with all those  
8 transfer stations local governments are doing.

9 And we're trying to take a hard look at that  
10 chapter to make this transition as easy as possible for  
11 local governments and allow them to provide the same  
12 services that they are now doing at their landfills through  
13 waste transfer. So we want to be taking a hard look at  
14 that chapter and getting a lot of input from local  
15 government.

16 So those are the initial four chapters that we'll  
17 be bombarding you with as we move through this.

18 Chapter 2, I think I mentioned in my e-mail,  
19 we've got a pretty good start on that. There are issues  
20 that we're dealing with like the recent -- the governor's  
21 recent directive on sage grouse and that policy that I need  
22 to incorporate in the rules. Just attended some training  
23 on that last week and worked with Game & Fish on that.

24 So there are things like that that are -- you  
25 know, it is never as easy as you hope it's going to be, but

0024 1 I really hope to have things finalized so that when we do  
2 public notice for your September 30th meeting, we're going  
3 to be hitting the ground running.

4 So I guess, Mr. Chairman, that means you probably  
5 can take a deep breath in August and then away we go in  
6 September. I'm done.

7 CHAIRMAN WELLES: This is Bill. Anybody  
8 have any further questions on the -- how we would possibly  
9 maybe be moving forward?

10 MS. CAHN: So this is Lorie. So, Bob, are  
11 you recommending, then, you make a presentation to us at  
12 our September 30th meeting?

13 MR. DOCTOR: I have no idea. I assumed --  
14 maybe I assumed improperly -- that you may have another one  
15 of these quick meetings in August for some reimbursements.  
16 Is that the case or not?

17 CHAIRMAN WELLES: Oh, no. We can't do it  
18 in August.

19 MR. DOCTOR: Okay. So you wouldn't have  
20 time in August. So what you would be receiving is the  
21 public notice stuff 30 days ahead of September 30th. So by  
22 the 1st of September, you'll be receiving draft rule  
23 changes and we'll be hitting the ground running September  
24 30th with the rule changes.

25 MS. CAHN: Okay. I'm a little confused.

0025 1 Because we have a full-day board meeting planned with  
2 basically a field trip, it isn't a normal board meeting. I  
3 guess I'm wondering how much you're anticipating.

4 MR. DOCTOR: That is kind of why I wanted  
5 to bring this up. Mr. Chairman, I had seen some of the  
6 draft agenda items for that meeting and sent an e-mail, I  
7 believe, to John Wagner to find out what's going on. And I  
8 kind of wanted to bring this up for that exact purpose is  
9 do you guys feel you need a two-day meeting or do you --  
10 would you rather schedule this for some time in October  
11 when you have more time to work on this? And that's what I  
12 kind of wanted to know ahead of time is what direction  
13 you'd like us to go. Maybe September 30th is a little too  
14 aggressive.

15 CHAIRMAN WELLES: This is Bill. How does  
16 the rest of the Board feel about that?

17 MR. SUGANO: Glenn Sugano. I think we're  
18 being asked to take public comment at that meeting. Is  
19 that not right, Bob?

20 MR. DOCTOR: I believe so.

21 MR. SUGANO: Yeah. So it's going to --  
22 we're going to have to appropriate a certain amount of time  
23 for that to happen. I'd say we need to meet sometime in  
24 October to take care of that.

25 MR. DOCTOR: I kind of suspected that and

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1 that's -- this is Bob again, Mr. Chairman. So that's why I  
2 was hoping that if that's your thinking, that if we can  
3 kind of pick a date in October. Because the reason being  
4 that I need a target to shoot for with all our rulemaking  
5 process to make sure that this public notice goes out 30  
6 days in advance of your meeting. October is a long ways  
7 away, but if you're able to kind of set a date sometime in  
8 October, that will be great.

9 CHAIRMAN WELLES: This is Bill. I guess I  
10 would say rather try and have everybody figure this out  
11 right on this -- you know, on the telephone, why don't you  
12 send us all an e-mail and everyone can sit down with their  
13 schedules and let's figure it out that way. Does that make  
14 sense?

15 MR. DOCTOR: Mr. Chairman, that sounds  
16 fantastic. I just didn't want to wait until September  
17 30th, because that would push us back another month, month  
18 and a half.

19 MS. CAHN: My hope would be that if we  
20 could do a Friday, have a Friday meeting, I would prefer a  
21 Friday meeting in October.

22 MR. DOCTOR: I'm sure everybody is going to  
23 have to check their hunting regulations.

24 MS. CAHN: If it was going to be close to  
25 September 30th, it was going to be the next week in October

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1 or something, then I mean one option would be that maybe we  
2 could meet on the afternoon of the 29th in Cheyenne,  
3 because we're going to be in Cheyenne on the 30th anyway.  
4 Is that too soon for you? Is a day and a half too much for  
5 everybody?

6 MR. DOCTOR: Mr. Chairman, that may be  
7 pushing a little bit. And I have no idea what you're going  
8 to get as far as public comments, but I'm assuming with  
9 four chapters of these rules, it may take a full day and  
10 maybe another one a month later, maybe then more than that  
11 even to get all the way through this.

12 MS. CAHN: Okay. Well, then it sounds like  
13 we need to do it in the October meeting or something.

14 MR. DOCTOR: Mr. Chairman, I will send you

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all an e-mail and we'll see if we can narrow this down.

And we can also get Marge in the loop, if that's all right.

CHAIRMAN WELLES: Okay. That sounds good to me.

MR. DOCTOR: Great.

MR. SUGANO: Mr. Chairman.

CHAIRMAN WELLES: Yes, Glenn.

MR. SUGANO: Glenn Sugano. Bob, are you going to present the rule changes to the Solid Waste & Recycling meeting in August? Because that would be a good time to get some of the comments out of the way.

MR. DOCTOR: Mr. Chairman, Glenn. Yeah, I think we're going to -- you know, we've got fleshed out the basic main items like lifetime permits and, you know, some of those type of things that we will be presenting to the Solid Waste & Recycling Association. And so that will be good, because I think that will prime them for the formal process.

MR. SUGANO: Yeah, I appreciate that. Because I think those people are all going to gather in one place, I think it will be a good time to present all that information.

MR. DOCTOR: I feel like, Mr. Chairman, we have a direction forward. Thank you.

CHAIRMAN WELLES: Okay. This is Bill. Is there any other business to come before the Board today?

MR. JENNINGS: Mr. Chairman, Mike Jennings here. Just some real quick housekeeping stuff. I presume you have the cost spreadsheets. They may be a little bit confusing for you, but the reason that some of the facilities are in duplicate spots is the way the spreadsheet is built, the different steps, there may be two steps that I was able to break out in the spreadsheets, although in the application, it was simply for one amount, but if you wish, you can do the math on them and the totals actually all add up.

But the one that might be a little confusing to you is for the Step 2 Fieldwork Cost Spreadsheet, I only put it under one application, specifically, Point of Rocks. And for the Rock Springs and Superior facilities, even though they were included in that application, for simplification purposes, I have everything going back to the total that's indicated for Point of Rocks. I was hoping that I could explain that, if there was any confusion on that.

And also, Mr. Chairman, I'm going to be out of pocket next week. And I tried to get these things down to Cheyenne as quickly as possible. If there is a chance, if you could sign those, scan them and send them to me today, that would be great; otherwise, I'll have our receptionist be on the lookout for them and have the packets sent down next week, but I just wanted to bring that to your attention.

MR. DOCTOR: Mr. Chairman, this is Bob. If Mike is gone, I can watch for them and make sure they get taken care of, too.

CHAIRMAN WELLES: This is Bill. I'm pretty sure that I can get that done today. I can sign them and scan them.

MR. JENNINGS: Mr. Chairman, Mike here. Thank you so much. I appreciate that.

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1 CHAIRMAN WELLES: And I will -- I'll go  
2 ahead and send those to you, Mike, and with a copy to Bob.  
3 MR. JENNINGS: Great. Thank you so much.  
4 CHAIRMAN WELLES: Is there anything -- this  
5 is Bill. Is there anything else to come before the Board  
6 today? Anything from board members or anyone else?  
7 Hearing none, if I could have a motion.  
8 MS. CAHN: I move that we adjourn the  
9 meeting.  
10 CHAIRMAN WELLES: Okay. And a second,  
11 please.  
12 MR. SUGANO: Glenn Sugano. Second.  
13 CHAIRMAN WELLES: All those in favor,  
14 please say aye.  
15 MR. APPELATE: Aye.  
16 MR. SUGANO: Aye.  
17 MS. CAHN: Aye.  
18 CHAIRMAN WELLES: Aye. Motion passes.  
19 Well, thank you, everyone, for your time. And thank you,  
20 Bob and Mike and Carl, for your participation, and we will  
21 be visiting with you all soon.  
22 MR. JENNINGS: Thank you, guys. Have a  
23 great weekend.  
24 MS. CAHN: I've --  
25 CHAIRMAN WELLES: Off the record?

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1 MS. CAHN: Yeah, off the record.  
2 CHAIRMAN WELLES: Okay.  
3 (Hearing proceedings concluded  
4 9:50 a.m., July 29, 2011.)  
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3 I, ERIC D. NORDBERG, a Registered Professional  
4 Reporter, do hereby certify that I reported by machine  
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