



Board of Minerals and Environment

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AGENDA

Board of Minerals and Environment
Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota

May 18, 2017
10:00 a.m. Central Time

Live audio of the meeting can be heard at <http://www.sd.net/mtc>

Scheduled times are estimates only. Agenda items may be delayed due to prior scheduled items.

10:00 a.m. Call to order and roll call

Approval of minutes from April 20, 2017, meeting

Mining issues

- Consent Calendar – Tom Cline

Request permission to advertise for a public hearing to consider amendments to ARSD 74:28, Hazardous Waste – Carrie Jacobson

Request permission to advertise for a public hearing to consider amendments to ARSD 74:36, Air Pollution Control Program – Marlys Heidt

10:15 a.m. Oral Mining Reports

LAC Minerals 10:15 – 10:30

Homestake Mining Company 10:30 – 10:45

Wharf Resources 10:45 – 11:00

VMC, LLC 11:00 – 11:05

Gilt Edge Superfund Site 11:05 – 11:20

Update on Homestake Mining Company's Technical Revision for Mine Permit Nos. 332 and 456 for the placement of excavated rock from the Sanford Laboratory into the Open Cut – Mike Cepak

Next meeting

Adjourn

Notice is given to individuals with disabilities that this meeting is being held in a physically accessible place. Please notify the Department of Environment and Natural Resources by calling (605) 773-4216 at least 48 hours before the meeting if you have a disability for which special arrangements must be made.

Board members are reminded that effective July 1, 2016, members are subject to SDCL 3-23-1 to 3-23-5 (Disclosure Laws) which address the disclosure of any conflicts of interest a member may have regarding contracts with the State of South Dakota. Board members should report any potential conflicts to the board and seek a waiver where appropriate.

The audio recording for this meeting is available on the South Dakota Boards and Commissions Portal at <http://boardsandcommissions.sd.gov/Meetings.aspx?BoardID=67>

Minutes of the
Board of Minerals and Environment
Telephone Conference Call Meeting

Matthew Environmental Education and Training Center
523 East Capitol Avenue
Pierre, South Dakota

April 20, 2017
10:00 a.m. CDT

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Chairman Rex Hagg. The roll was called and a quorum was present.

Chairman Hagg announced that this meeting was streaming live on SD.net, a service of South Dakota Public Broadcasting.

Chairman Hagg appointed Gregg Greenfield as secretary pro tem.

BOARD MEMBERS PARTICIPATING: Rex Hagg, Glenn Blumhardt, Doyle Karpen, Bob Morris, Pete Bullene, Dennis Landguth, Gregg Greenfield, and Daryl Englund.

BOARD MEMBER ABSENT: Linda Hilde.

OTHERS PRESENT: Bob Townsend, Eric Holm, Mike Cepak, Mike Lees, Tom Cline, and Bret Graves, DENR Minerals and Mining Program; assistant Attorney General Steve Blair, Bob Mercer, newspaper reporter, and Al VanZee, Black Hills Pioneer.

APPROVAL OF MINUTES FROM MARCH 16, 2017, MEETING: Motion by Karpen, seconded by Englund, to approve the minutes of the March 16, 2017, Board of Minerals and Environment meeting. A roll call vote was taken, and the motion carried unanimously.

MINING ISSUES:

Consent Calendar: Prior to the meeting, the board received a table listing the department recommendations for release of surety and transfers of liability (see attachment).

Tom Cline, DENR Minerals and Mining Program, presented the consent calendar.

Motion by Morris, seconded by Landguth, to accept the department recommendations for release of surety and transfers of liability, as listed on the consent calendar. A roll call vote was taken, and the motion carried unanimously.

UPDATE ON POWERTECH STATUS: Chairman Hagg reported that at its March 2017 meeting, the board requested that an update be provided on the status of the Powertech hearings with the EPA. Subsequent to that he received a copy of an email from Valois Shea, EPA Region 8, regarding the status of those hearings and the status of those permits.

Chairman Hagg stated that the board members and the public can find updated information on the status of this matter on the following websites:

- Draft EPA Underground Injection Control (UIC) Permits for the Powertech In Situ Uranium Mine, available for public review on EPA’s Region 8 UIC Program webpage at <https://www.epa.gov/uic/administrative-record-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-permits>
- DENR’s Powertech Environmental Permits webpage at <http://denr.sd.gov/powertech.aspx> (under “Links to Federal Applications”).

Chairman Hagg reminded the board that this is for informational purposes only, and it would be inappropriate to discuss the merits of the case because the board is still recessed from the contested case hearing.

NEXT MEETING: The next meeting will be May 18, 2017, in Pierre.

ADJOURNMENT: Motion by Englund, seconded by Bullene, that the meeting be adjourned. A roll call vote was taken, and the motion carried unanimously.

Approved this 18th day of May 2017.

Secretary

Date

Witness

Date

**South Dakota Board of Minerals & Environment
Consent Calendar**

April 20, 2017

<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety No.</u>	<u>Surety Company or Bank</u>	<u>DENR Recommendation</u>
<u>Release of Surety:</u>						
Virginia Snethen Winner, SD	96-603		\$500 \$1,000 \$500	13741 94830 708037	First National Bank, Pierre First National Bank, Pierre First Fidelity Bank, Winner	Release \$2,000.
<u>Transfer of Liability:</u>						
Concrete Materials Sioux Falls, SD	83-144		\$20,000	55-194372	United Fire & Casualty Company	Transfer liability.
		144009	NW1/4 Section 16; T101N-R50W, Minnehaha County			
Transfer to:						
Crusher Investment Company Sioux Falls, SD	83-24		\$20,000	2135492	North American Specialty Insurance Company	
Crusher Investment Company Sioux Falls, SD	83-24		\$20,000	2135492	North American Specialty Insurance Company	Transfer liability.
		24004	NW1/4 Section 8; T101N-R50W, Minnehaha County			
Transfer to:						
Concrete Materials Sioux Falls, SD	83-144		\$20,000	55-194372	United Fire & Casualty Company	

***South Dakota Board of Minerals & Environment
Consent Calendar***

May 18, 2017

<u>License Holder</u>	<u>License No.</u>	<u>Site No.</u>	<u>Surety Amount</u>	<u>Surety No.</u>	<u>Surety Company or Bank</u>	<u>DENR Recommendation</u>
<u>Transfer of Liability:</u>						
C & W Enterprises, Inc. Harrisburg, SD	98-671		\$-0-	NA	NA	Transfer liability.
		671005	W1/2 W1/2 Section 9; T19N-R30E, Corson County			
		671008	Section 19; T100N-R74W, Tripp County			
Transfer to:						
Dakota Constructors, Inc. Harrisburg, SD	17-1019		\$3,500	GRSD40292A	Granite Re Inc.	