

South Dakota Science and Technology Authority

**Annual Board Meeting
June 22, 2023**



630 East Summit Street
Lead, SD 57754

Call to Order—Chairperson Casey Peterson

1A. Call Roll

Dr. Ani Aprahamian
Mr. Dana Dykhouse
Dr. Chris Fall
Ms. Pat Lebrun
Mr. Roger Musick
Mr. Casey Peterson
Mr. Ron Wheeler
Dr. James Rankin, ex-officio member

1B. Introduce guests—ask to announce name and affiliation

1C. Public comment form (submit forms prior to start of board meeting)

Procedure for Public Comment Periods

Pursuant to SDCL 1-25-1 as amended by House Bill 1172 in the 2018 Legislative Session the procedure for conducting public comment periods during meetings of the South Dakota Science and Technology Authority (SDSTA) shall be as follows:

The chair of the SDSTA shall reserve a period for public comment, limited at the chair's discretion, at each meeting.

Before the beginning of the meeting, all persons who wish to make comments during the comment period shall indicate their desire to do so on a form that will be provided by the Executive Director. The form shall indicate the person's name, city of residence and generally describe the matter or matters on which the person wishes to comment.

The amount of time allocated to each interested person who wishes to make comments will be determined at the chair's discretion at each meeting.

Comments must be limited to matters which are under the jurisdiction of the SDSTA.

All persons making public comments at meetings of the SDSTA must do so in a manner that maintains civility. Comments which contain offensive language or profanity will not be tolerated.

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Approve Agenda—Chairperson Casey Peterson

Attached is the SDSTA Board agenda for the June 22, 2023 meeting.

See recommended motion below.

Recommended Action:

Motion to approve agenda as presented.

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AGENDA

South Dakota Science and Technology Authority
630 East Summit Street, Lead, South Dakota
Annual Meeting of the Board of Directors
Thursday, June 22, 2023 at 8:00 AM (MT)

****Yates Education & Outreach Building—large conference room****

Public (Open) Session: 1-669-900-6833, Meeting ID: 605 722 4000, Passcode: 8650, <https://zoom.us/join>

SDSTA Mission: *We advance world class science and inspire learning across generations.*

NOTICE: Members of the public may listen to the meeting by calling 1-669-900-6833 and entering Meeting ID code: 605 722 4000. Please announce your name and affiliation after joining then mute your phone.

Title	Report	Recommendations
1. Call to order	-- Chair Casey Peterson	
A. Call roll		<i>1A. Confirm quorum by calling roll</i>
B. Introduce guests		<i>1B. Ask guests to announce their name/affiliation</i>
C. Public comment form		<i>1C. Reminder request to submit public comment form(s)</i>
2. Approve agenda	-- Chair Casey Peterson	<i>Motion to approve agenda</i>
3. Approve minutes	-- Chair Casey Peterson	<i>Motion to approve the March 16 and June 6 minutes</i>
4. Conflict of interest disclosure	-- Mr. Tim Engel	<i>Informational</i>
5. Conflict of interest disclosure and waiver under SDCL CH. 3-23	-- Mr. Tim Engel	<i>"Motion to approve or deny" (as appropriate)</i>
6. SURF Foundation	-- Ms. Michelle Kane	
A. Confirmation of the re-election of Fred Romkema to the Foundation board		<i>6A. Motion to confirm the reelection of Mr. Fred Romkema to the SURF Foundation Board for an additional 3-year term</i>
B. Foundation Update		
7. Audit Committee	-- Chair Casey Peterson	
A. Annual appointment of members		<i>7A. Motion to confirm chairperson's appointment of audit committee members</i>
B. Acceptance of Audit Report-fiscal year ended June 30, 2022	-- Ms. Pat Lebrun	<i>7B. Motion to accept Audit Report Fiscal Year Ended June 30, 2022 as reviewed and discussed at March 16, 2023 board meeting</i>
8. Financial Report	-- Mr. Mike Headley	
A. Review financial statements	-- Mr. Terry Miller	<i>8A. Motion to accept financial report as presented</i>
B. Approval of FY2024 budget	-- Mr. Terry Miller	<i>8B. Motion to approve FY2024 budget as presented</i>

Please do not place or accept cell phone calls during this meeting. A copy of this agenda has been posted in a manner visible to the public at the entrance to the South Dakota Science and Technology Authority office located at 630 East Summit Street, Lead, South Dakota at least 72 hours prior to this meeting. Telephone: (605) 722-8650.

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Title	Report	Recommendations
9. Report from Executive Director A. Declaration of Surplus B. SDSTA quarterly update C. Hoists & Shafts update D. LBNF excavating to outfitting update	-- Mr. Mike Headley -- Ms. Wendy Straub -- Mr. Josh Willhite	<i>Informational</i> <i>Presentation</i> <i>Presentation</i> <i>Presentation</i> <i>Motion to accept executive director's report</i>
10. SDSTA policies and procedures A. Annual review of PY & PP B. Annual statements affirming compliance with Financial Conflict of Interest policy	-- Mr. Mike Headley	<i>10A. Motion to approve updated policies; reference board packet</i> <i>10B. Each board member to sign a copy of the CoI statement</i>
11. Report from nominating committee	-- Vice Chair Dykhouse	<i>Slate of officers recommended:</i> <i>Chairperson: Mr. Casey Peterson</i> <i>Vice-Chairperson: Mr. Dana Dykhouse</i> <i>Secretary Treasurer: Ms. Patricia Lebrun</i>
12. Election of officers	-- Chair Casey Peterson	<i>Elect officers as described in procedure adopted August 2008; reference board packet</i>
13. Executive session (closed meeting)	-- Chair Casey Peterson	<i>Motion to enter executive session to discuss personnel matters and to consult with legal counsel concerning contractual and legal matters—SDCL 1-25-2(1), (3) and (4); 19-19-502.</i>
14. Report from executive session	-- Chair Casey Peterson	<i>"The board consulted with legal counsel concerning contractual and legal matters. No action was taken."</i> <i>OR</i> <i>...as discussed and stated otherwise</i>

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Title	Report	Recommendations
15. Approval of documents	-- Mr. Tim Engel	
A. Review amended waivers		<i>15A. Motion to approve amendments to the Acknowledgment of Risk Waiver and Release, Agreement Not To Sue And Waiver subject to review by Homestake</i>
B. Review Risk Transfer Protocols	-- Mr. Tim Engel	<i>15B. Motion to approve revised Risk Transfer Protocols, subject to approval by the Department of Energy and review by Homestake as provided in the Property Donation Agreement</i>
C. Approval of FY2024 Office of Risk Management Intergovernmental Agreement	-- Mr. Mike Headley	<i>15C. Motion to approve FY2024 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize SDSTA executive director to sign agreement</i>
16. Confirm date, time and location of next meeting	-- Chair Casey Peterson	<i>Thursday, September 21, 2023 at 8:00am (MDT)/9:00am (CDT) to be held at the Washington Pavilion in Sioux Falls and via Zoom</i>
17. Public comments	-- Chair Casey Peterson	
18. Board comments	-- Chair Casey Peterson	
19. Adjourn	-- Chair Casey Peterson	<i>Motion to adjourn</i>

**Meeting of the Board of Directors
Thursday, June 22, 2023**

SDSTA Board Member Terms of Service, Committees and Schedule

	Board Members and Terms of Service		
	Board Members	Appointed	Term Expires
1.	Dr. Ani Aprahamian	Re-appointed January 7, 2022	December 9, 2027
2.	Mr. Dana Dykhouse, Vice-Chair	Re-appointed August 15, 2020	August 14, 2026
3.	Ms. Patricia Lebrun, Secretary-Treasurer	Re-appointed August 8, 2022 SDCL 1-7-1.1	August 8, 2028
4.	Dr. Chris Fall	Appointed December 1, 2021	August 8, 2027
5.	Mr. Roger Musick	Reappointed August 8, 2022 SDCL 1-7-1.1	August 8, 2028
6.	Mr. Casey Peterson, Chair	Re-appointed December 1, 2021	August 8, 2027
7.	Mr. Ron Wheeler	Re-appointed April 28, 2020	April 9, 2026
8.	Dr. James Rankin, <i>ex-officio member</i>	SD Mines President as of Jan 8, 2018	
	Committees and Members (2022-2023)		
	Audit Committee Members (Sep):	Nominating Committee Members (Jun):	
	➤ Pat Lebrun-Chair, tbd	➤ Dana Dykhouse, tbd	
	➤ Dana Dykhouse, tbd	➤ Roger Musick, tbd	
	➤ Casey Peterson, ex-officio, tbd		
	2023 Board Schedule		
	Thursday, March 16 2023	8:00 am (MT)	E&O Bldg
	Thursday, June 22, 2023	8:00 am (MT), annual	E&O Bldg
	Thursday, September 21, 2023	8:00 am (MT), Sioux Falls tbc	E&O Bldg
	Thursday, December 14, 2023	8:00 am (MT)	E&O Bldg

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Approve Minutes—Chairperson Casey Peterson

Attached are the March 16 and June 6, 2023 Board Minutes for approval.

See recommended motion below.

Recommended Action:

Motion to approve the March 16 and June 6, 2023 Minutes as presented.

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South Dakota Science and Technology Authority Board of Directors
Meeting Minutes
Thursday, March 16, 2023
Lead, South Dakota

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 8:00 AM. Mountain Time (MT) on Thursday, March 16, 2023, in the Education and Outreach (E&O) Building Conference Room at the SDSTA, 630 East Summit Street, Lead, South Dakota. A conference number was posted on the agenda with an invitation for members of the public to participate in the meeting by telephone or videoconference.

MEMBERS OF THE BOARD IN ATTENDANCE

Dr. Ani Aprahamian (by videoconference)
Dr. Chris Fall
Secretary/Treasurer Patricia Lebrun (by phone)
Mr. Roger Musick (by videoconference)
Chairperson Casey Peterson
Dr. James Rankin, ex-officio
Mr. Ron Wheeler (by videoconference)

MEMBERS OF THE BOARD ABSENT

Mr. Dana Dykhouse

SDSTA STAFF PRESENT DURING ALL OR PART OF THE MEETING VIA ZOOM

Ms. Christine Burger, Human Resource Manager
Mr. Tim Engel, General Counsel
Ms. Kim Flock, Controller
Ms. Ashley Hansen, Administrative Assistant
Mr. Mike Headley, SDSTA Executive Director and SURF Laboratory Director
Dr. Jaret Heise, Science Director
Ms. Juliet Jones, Communications Marketing Specialist (by phone)
Ms. Michelle Kane, SURF Foundation Director
Ms. Mandy Knight, Administrative Services Manager
Mr. Terry Miller, Chief Financial Officer
Ms. Ursula Ward, SLHVC Guest Services Manager
Ms. Deb Wolf, Outreach and Culture Director (by videoconference)

ALSO PRESENT DURING ALL OR PART OF THE MEETING

Ms. Brittny Burns, Eide Bailly Auditor (by videoconference)
Ms. Elizabeth Freer, dialogue LLC Principal
Mr. Paul Kane, Eide Bailly Auditor (by videoconference)
Mr. Bob Mercer, KELOLAND News Journalist (by phone)
Ms. Wendy Pitlick, Black Hills Pioneer Journalist
Dr. Ben Sayler, BHSU Sanford Science Education Center Director/Professor (by phone)

ITEM 1. CALL TO ORDER

Chairperson Casey Peterson called the meeting to order at 8:00 AM. (MT). Roll call was held. Dr. Chris Fall, Chairperson Peterson and Dr. James Rankin were present in person. Dr. Ani Aprahamian, Mr. Roger Musick and Mr. Wheeler joined via Zoom. Ms. Lebrun joined the meeting by phone at 8:43 AM. Mr. Dana Dykhouse was absent. Chairperson Peterson then asked guests to introduce themselves. He

said if any of the guests had any questions or comments for the board to address, time will be given at the end of the agenda to discuss. No public comment forms were submitted.

ITEM 2. APPROVE AGENDA

Chairperson Peterson asked for a motion to approve the agenda.

Motion by Dr. Fall and seconded by Mr. Wheeler to approve the agenda. Motion passed unanimously.

ITEM 3. APPROVE MINUTES

Chairperson Peterson asked if there were any comments on the December 15, 2022 Minutes. Hearing none, he asked for a motion to approve the minutes as presented.

Motion by Dr. Fall and seconded by Mr. Wheeler to approve the December 15, 2022 minutes as presented. Motion passed unanimously.

ITEM 4. GENERAL CONFLICT OF INTEREST DISCLOSURE

Mr. Tim Engel invited members of the board to disclose anything that might be construed to be a conflict of interest with respect to items under consideration at today's meeting.

There were no disclosures.

ITEM 5. CONFLICT OF INTEREST DISCLOSURE AND WAIVER UNDER SDCL CH. 3-23

Mr. Engel said, in regard to disclosures and waivers under SDCL Ch. 3-23, he polled the board members prior to the meeting and no disclosures were made.

ITEM 6. SURF FOUNDATION REPORT

FOUNDATION STATUS UPDATE

SURF Foundation Director Ms. Michelle Kane introduced herself. Ms. Kane shared that she has been in her new position for two months and expressed her leadership style, inspired by the empathetic and positive coach from the TV series *Ted Lasso*, emphasizing teamwork and growth through discomfort. She discussed her role as the Director, underscoring the importance of relationship building and the Foundation's activities for the next three months. Ms. Kane encouraged board members to connect with her and SURF via LinkedIn, highlighting her background in public relations and messaging. As a starting point, she defines SURF as a premiere co-working space for scientific discovery, clarifying that while SURF is not conducting the scientific research, it provides essential support in areas such as access, safety, and resources, a message that is resonating with the businesses and individuals she has been meeting with.

Ms. Kane discussed the following: 1) Building relationships with internal SURF partners: Communications, Education and Outreach, Science, Accounting and Finance, Human Resources and Sanford Lab Homestake Visitor Center (SLHVC). She said the Foundation headquarters are located at SLHVC and is a great place to meet people. 2) Building relationships with external partners: Past contacts from SD CEO West Women's Business Center, Elizabeth Freer and dialogue LLC – The Institute for Underground Science at SURF, Aten Design Group – Institute website, Arup – Institute support visuals, Association of Fundraising Professionals (AFP), Leadership South Dakota, Grow South Dakota and Junior Achievement. 3) Building relationships with Foundation Board: One-on-One Meetings – key takeaways and Foundation Strategic Plan, Governance and Audit Committees. 4) Building relationships with grantors and donors: *Full STEAM Ahead!* event held January 21, 2023, Form 990 (Return of Organization Exempt From Income Tax) for 2022, Bloomerang: Donor Database, and Current Donor Outreach. Ms. Kane again referenced *Ted Lasso* and a sign that reads "Believe" above the coach's office door. She said it is a mindset, that anything can happen and anything is possible—and

said she is committed to seeing this through. 5) Next three months: Sponsorship/Partner outreach for Neutrino Day Saturday, July 8, Sponsorship/Partner outreach for CETUP* June 19-July 14, Save the date for July 7, 5-7pm, Neutrino Day VIP kickoff event, Attend Governor's Office of Economic Development conference April 24-25 in Sioux Falls, Messaging – Foundation, fundraising, partnerships, Foundation board communication, Foundation structure, processes and goals. In conclusion, she said the next Foundation board meeting is June 22.

ITEM 6B. INSTITUTE UPDATE

Ms. Elizabeth Freer, Principal of dialogue LLC, gave an update on the work with Aten design group relating to the mission, logo and branding of the Institute for Underground Science at SURF. She discussed the following: 1) Brand Drivers – all brand materials should support the overall objectives through the following core traits: Discovery, Credibility, Community, World Class Experience. This was determined after reviewing the scoping document and research from the past. 2) Personality Qualities – what qualities should the verbal and visual identity have? (A strength scale was shown based on qualities). 3) Mission Statement – “Unite the global underground science community to *inspire* discovery”. 4) Naming Guidelines – based on the context and potential future donor recognition “The Institute for Underground Science At SURF” was determined during the scoping study. 5) Initial Logo and Word Mark Concepts – the initial workshop discussed the word mark and the subsequent workshop discussed the attributes of each logo element considering Institute personality characteristics. 6) SURF and The Institute – each logo option for the Institute was compared with the SURF logo. In many applications, events may be co-branded; logos should communicate with each other. 7) Logo Color Palette Discussion – SURF's Green, with accent colors; Contrast Institute Logo with a deep and bright blue; Blue is preferred as a base color for the color palette for marketing/comms and events; Colors connect the current with the future. 8) Primary Logo – blue and Secondary Logos – white and blue backgrounds. 9) Evolution – donor names of various lengths can be accommodated. 10) Options for Program / Event Endorsements – ways that logo and text choice should talk about different events. 11) Website Goals – from the SURF Foundation perspective, two-page launch of the website. Top priorities of the website include to drive financial support to the Institute, create a framework for housing and growing credibility-building content and lastly to tell the story of what the Institute will be and share the vision of how the Institute will serve and work with the underground science community.

In conclusion Ms. Freer shared the color palette of the website since it has not been launched yet—navy, blue, cyan and orange—and then asked if there were any questions.

Chairperson Peterson commented that he really likes the design of the logo and that it is well thought out. He thanked Ms. Freer for her efforts.

Dr. Fall asked if a decision needed to be made now on the logo design as he wondered if there were a major donation, perhaps the donor may want to provide input? Ms. Freer replied that there are always options to revise the logo. She said the logo and branding are a conversation and evolve but since there is not a facility currently, it is important to have a set of branding guidelines with a strong look and feel. Ms. Freer said there is room for conversation and adjustments as well as flexibility with the layout for a donor name as it is currently designed.

Chairperson Peterson said during his preview of the Institute logo, he had suggested considering rebranding SURF and Mr. Headley replied that Aten has been tasked to work on a new design for review.

ITEM 7. AUDIT COMMITTEE UPDATE

ITEM 7B. EIDE BAILLY LLC AUDIT UPDATE

Chairperson Peterson deferred the initial audit update by Ms. Lebrun due to her difficulty videoconferencing in and asked SDSTA CFO Mr. Terry Miller to introduce Eide Bailly staff Mr. Paul Kane and Ms. Brittany Burns, who joined the meeting by videoconference. Mr. Miller said this is the first time SDSTA has engaged an auditor other than SD Legislative Audit and said it was a great experience working with Eide Bailly and he looks forward to working with them next year. Mr. Kane introduced himself and said their work at SDSTA went a little longer than planned, but that is not unusual the first year of an audit as there are many new things to learn and to understand processes that are in place. Mr. Kane and Ms. Burn's presentation highlighted three areas: the Financial Statement Audit and Yellow Book Report, Compliance Report Package and Required Communications. Mr. Kane began with the independent auditor's report and referenced information that was provided in the board packet. He said the report was a clean "unmodified" opinion and that it is the best an organization can receive. He reviewed the Schedule of Net Position and Changes in Net Position statements and talked about the numbers at a high level. He also commented on Significant Note Disclosures: Note 1 – Significant Accounting Policies, Note 2 – Deposits and Investments, Note 3 – Change in Capital Assets, Note 4 – Long-Term Debt and Note 13 – Restatement. He discussed the Yellow Book Report – Financial Statement Audit: Report on Internal Controls, Financial Statement Finding, Upcoming Governmental Accounting Standards Board (GASB) Implementations.

Ms. Burns then introduced herself and spoke to the Compliance Audit Report and Report on Internal Controls and noted this was a separate audit. She said Eide Bailly audited SDSTA's compliance with the Department of Energy's (DOE's) Cooperative Agreement; the report was a "unmodified" opinion on compliance for the Cooperative Agreement and it only covered expenditures of the Cooperative Agreement. She said there was no material weaknesses and only found one significant deficiency in controls in their testing. Ms. Burns reviewed the Federal Award Findings and recommended the SDSTA implement controls which include a review of contracts to ensure they contain the proper provisions and to institute document retention policies. After discussion with the SDSTA management team at the conclusion of the audit, management agreed with the findings, and corrective action plans have been developed to implement the controls going forward. Lastly, she reviewed Communication With Governance and said two separate letters were issued for the 2022 audit; a letter on December 15, 2022 in connection with the Financial Statement Audit and a letter on January 30, 2023 in connection with the Compliance Audit. She said going forward, the two audits would be issued simultaneously and then the two reports would be combined into one. Ms. Burns said the financial statements include sensitive disclosures because of their importance to users of the financial statements. She also said there were corrected and uncorrected misstatements during the audit in the letter dated December 15, 2022, noting that the uncorrected misstatements were immaterial as decided by management. She concluded that there were no disagreements or significant difficulties with management. Mr. Kane then asked if there were any questions.

Chairperson Peterson commented that he appreciated the efforts on the audit and thanked Eide Bailly for their service.

Ms. Lebrun joined the meeting by phone at 8:43 AM and apologized as she had technical difficulties earlier.

Ms. Lebrun said considering this is the first time the SDSTA has used external auditors, and both financial statements and compliance audits were conducted, things went amazingly well. She said that the report is good. Ms. Lebrun then asked the auditors if next year's audit will combine letters into one or if two letters will be sent simultaneously? Mr. Kane replied it depends. The State may ask to conduct

a single audit in some years and separately, a Compliance Audit may need to be conducted to meet the needs of the Cooperative Agreement. He said the Compliance Audit will always be a separate and single report that is submitted to the DOE. The Financial Statements will always be a single report that is submitted to the State. However, the two Governance letters will be combined into one letter going forward. In regard to the Yellow Book Report, it could be issued at the same time as the Financial Statements going forward.

Ms. Lebrun thanked Mr. Kane and said this is a reminder of the importance of having a paper trail and proper audits completed and filed annually given the complexity of SDSTA financials. She said it has been great working with the Eide Bailly staff.

ITEM 7C. AUDIT REPORT-FISCAL YEAR ENDED JUNE 30, 2022

Ms. Lebrun then provided an audit committee update. Referencing the audit report in the board packet, Ms. Lebrun moved to accept the audit committee report and requested the approval of the Audit Report-Fiscal year ended June 30, 2022 at the next meeting in June.

Motion by Ms. Lebrun and seconded by Mr. Wheeler to accept the Audit Committee Report and to discuss Audit Report approval at the next regularly scheduled board meeting per statute. Motion passed unanimously.

Dr. Fall congratulated the Audit Committee and the auditors and said the results speak to the quality of the management at SURF. He said staying ahead of issues is a great strategy and Chairperson Peterson concurred.

ITEM 8. FINANCIAL REPORT—JANUARY FINANCIAL STATEMENTS

Mr. Miller said financial statements for the January 31, 2023 reporting period were included in the board packet and consist of the Balance Sheet, Income Statements and Comparatives for both. He noted the Other Accounts Receivable balance has been elevated over the last few months due to the sale of a portion of the xenon for \$2.9M. He said the dollars are included in the February financial statements. The money will be used to pay off a portion of each of the foundation loans (South Dakota Community Foundation, University of South Dakota Foundation and South Dakota State University Foundation). Mr. Miller said they will be principal payments. Lastly, he noted Other Current Assets is also elevated and reflects prepaids for general liability and captive insurance.

Mr. Wheeler asked how the xenon loan agreements are worded and Mr. Headley replied that the agreements are two pages in length and extend the loan period until the last quarter of 2028. Each state of the remaining volume, how many liters of xenon are assigned to the Foundations and that SDSTA will make a payment of ~\$950K to each of the Foundations. The agreements have been accepted and each Foundation is signing their respective agreement and returning to SDSTA for payment.

Chairperson Peterson stated he and Mr. Miller will consult with the auditor before fiscal year end on the subject of the gain on sale of xenon and if SDSTA needs to report it differently to be in compliance.

Mr. Engel reminded the Board that the three Foundations do not own the xenon—the agreements make it clear that it is owned by SDSTA. He said if he recalls correctly, the original loan agreements state the Foundations are entitled to be repaid their principal and if there is gain from the sale on their assigned portion of the xenon then that gain is in the nature of interest.

Chairperson asked if there were any further questions and there were none.

Motion by Mr. Wheeler and seconded by Dr. Fall to accept the financial report as presented. Motion passed unanimously.

ITEM 9. REPORT FROM EXECUTIVE DIRECTOR

ITEM 9A. SDSTA QUARTERLY UPDATE

Mr. Headley began his presentation with SURF highlights and said recent accomplishments include 1) 56% completion of the Long Baseline Neutrino Facility (LBNF) excavation by volume. Planning for outfitting (Building Site Infrastructure) and cryostat install is underway. 2) Institute for Underground Science at SURF Kickoff planning underway. He said they are targeting the Institute kickoff around the September board meeting but more to come. Mid-2023 start planned with the Center for Underground Theoretical Physics and *Related Areas (CETUP*); 3) Fundraising efforts are progressing to excavate additional 4850L underground lab space. 4) The “Snowmass” final report included strong support for additional underground space at SURF. 5) The Particle Physics Project Prioritization Panel (P5) strategic planning is in process, with a final report in Oct 2023 planned. 6) Yates Shaft maintenance continues with good progress in the upper areas of the shaft. 7) New Oro Hondo backup fan install is transitioning to commissioning; fresh air tests start this week. 8) Implementation of a new Human Resources Information System was recently completed by HR Manager Chris Burger and her team along with the Accounting and Finance staff. SDSTA is completing its first paperless benefits open enrollment. 9) Major efforts are underway to “get out the word” about SURF in South Dakota. LinkedIn has been actively used by the Management Team in the last few months to help with this endeavor. SDSTA is also in conversation with the Rapid City Airport regarding SURF advertising and displaying artwork near the security area.

Mr. Headley said SDSTA signed a five-year contract to sponsor a 1,000-foot space at the Washington Pavilion. He said the room is being renovated with a new water exhibit and SURF information is being planned for the walls. It will include information about how SURF works with water such as processing at the Wastewater Treatment Plant, the pumping of water from underground, how SDSTA manages water to keep Science areas dry as well as general information about SURF. He said the Washington Pavilion is a key location for parents to take their children to learn about science. It is also a performance hall and is a major attraction for various musical acts that visit the area. Mr. Headley said there is the possibility of hosting the June board meeting in Sioux Falls as the Washington Pavilion completes its renovation.

Next, he shared several photos illustrating LBNF construction progress. Mr. Headley also stated that while spending time in Pierre in the last month, several members of the legislator experienced the 4850L underground via an Oculus Virtual Reality wireless headset; it was widely popular. Mr. Headley said the same VR headset is in the conference room and welcomed board members onsite to experience it. Then he reviewed the SURF underground expansion schedule stating that the expansion funding would be expended during Phase I of the excavation. His next slide emphasized South Dakota’s return on investment is 15 times—\$62M in South Dakota investments have resulted in \$932M in federal (\$862M) and private (\$70M) investments. He said SURF activities directly employ 400 full-time equivalents (SDSTA, partners, contractors) and DOE has made a 30+ year commitment to SURF operations. He said the economic impact is statewide. Lastly, he said the underground space is fully subscribed and explained the reasons why it is important to fund SURF expansion: two recent experiments have chosen to go to Canada and Italy due to the lack of space at SURF. More space is essential, we must act now and SURF benefits South Dakota.

Chairperson Peterson commented that it was good to take the story to Pierre and many legislators were excited to hear about the work happening at SURF. Mr. Wheeler asked if the bill was veto-proof and Chairperson Peterson replied yes. Mr. Headley interjected that there is 80% support in both the House and Senate. Chairperson Peterson thanked Mr. Headley for his efforts. In conclusion, it was mentioned that Communications is brainstorming ways to get the VR headset out to more people including at the SLHVC.

ITEM 9B. SANFORD LAB HOMESTAKE VISITOR CENTER (SLHVC) UPDATE

SLHVC Director Ms. Kelly Kirk provided an update to the board. The presentation included: 1) Outreach and Planning: In 2022 – welcomed over 54, 300 visitors from all 50 states and over 23 countries; hosted 5+ events each month. Looking ahead – children’s interactive activity space; Ask a Scientist; Update exhibit and kiosk content and venue space. 2) A Week at the SLHVC and included a slide depicting activities and meetings hosted at SLHVC. 3) Tourism: SLHVC, Tourism – recipient of TripAdvisor’s 2022 Traveler’s Choice Award winner for excellence in visitor experience; 100+ bus groups; 300+ trolley tickets; staff development and training to enhance visitor experience. Looking ahead – Redesign trolley tour; Add a daily docent tour and pop-up activities. 4) Museum Store: In 2022: Gross sales of \$230,000 (surpassed 2021 sales 9 or 12 months); Inventory increased from \$40,000 in January to over \$155,000; Gross margin of 54%, up from 30% prior; Conversion rate increased from 1% to 5%; Biggest gross sales: garments; Highest turn item: miner’s helmets and rocks; Biggest gross margin; Stickers; and 5) New Point of Sale. Looking ahead – Retail store online and new product line development. Ms. Kirk concluded by inviting board members to Steve Mitchell’s *The Riches of our Universe* official book launch on April 22 from 1-4pm. Mr. Headley announced all board members will be given a copy of a signed book and handed out books to those present at the meeting. Books will be mailed to members not in attendance.

Ms. Kirk said SURF has an incredible team and thanked everyone that has made the SLHVC a success. Ms. Kirk then asked if there were any questions.

Dr. Fall asked if there are ways to donate at the SLHVC. Ms. Kirk replied that there are informal donation boxes in the facility as well as contactless donations using a QR code.

Dr. Rankin suggested that the SLHVC contact the SD Mines bookstore to perhaps work together on some creative ideas for sale items relating to physics and engineering.

Chairperson Peterson congratulated Ms. Kirk and her team on a great job.

ITEM 9C. SCIENCE PARTICLE PHYSICS PROJECTS PRIORITIZATION PANEL (P5) UPDATE

Science Director Dr. Jaret Heise began his presentation stating that this update will be a little different than previous years and that instead of talking about individual experiments he will talk about strategic planning at a high level. He reported on the following: 1A) Strategic Planning: High Energy Physics: Snowmass community planning completed; SURF whitepaper posted; and P5 Town Halls underway, report in Fall 2023 (informs DOE + NSF). Topics include neutrinos, dark matter, quantum sensors. Nuclear Physics: Long-Range Planning underway; SURF whitepaper posted, initial report Oct 2023 and final expected by mid-2024. NSAC report in 2024/2025 (informs DOE + NSF). Topics include Double Beta Decay (DBD) and nuclear astrophysics. 1B) SURF Message: All existing and new space at SURF is fully subscribed. Existing science and LBNF/DUNE remain top priorities for SURF. However, facility offers opportunities and space for diverse and transformational science. Additional deep underground lab space keeps SD and the U.S. a global leader in science & technology. Maintain engagement with underground science communities to ensure new laboratory space meets science needs bringing the best science to SURF.

2) What is Snowmass? Snowmass is a community planning exercise organized by Division of Particles and Fields (DPF) of the American Physical Society (APS) as ~year-long science study; started in 1982 at Snowmass, CO. Snowmass 2021 organized into 10 “frontiers”, with ~80 topical subgroups: Accelerator, Cosmic, Community Engagement, Computing, Energy, Instrumentation, Neutrino, Rare Processes & Precision Measurements, Theory, UG Facilities and Infrastructure. More than 1,500 people

participated in the Snowmass process. Dr. Heise also reviewed a timeline and showed a group photo of participants at the Community Summer Study in Seattle, WA.

3) Snowmass 2021: Community Report to DOE/NSF Planning – Community endorses SURF underground laboratory expansion. In Conclusion #1 of 5: Leverage the Long-Baseline Neutrino Facility excavation enterprise to increase underground space at SURF in a timely and cost-effective way to permit siting of next-generation underground high energy physics research experiments. Excavate and outfit one or more new underground caverns at SURF’s 4850 level to house at least one large next-generation experiment and some mid-size and small experiments.

4) Particle Physics Projects Prioritization Panel (P5) reports to the High-Energy Physics Advisory Panel (HEPAP). P5 Goal – Distill Snowmass community input into a strategic plan for high energy physics for the next 10 years within a 20-year context. P5 Timeline – Fall 2022: P5 panel formed (27 additional members including Dr. Schnee from SD Mines). Spring 2023: Community Town Halls and Fall 2023: P5 report for HEPAP to approve, submit to DOE/ National Science Foundation (NSF).

Dr. Fall suggested to contact the NSF’s Major Facilities director and invite them to SURF as their budgets and mode of operations have changed in the last several years.

Dr. Aprahamian said she sits on the DOE Long-Range Planning Committee and is engaged in the plan for nuclear physics over the next ten years. She asked about the neutrinoless double-beta decay experiment (Majorana experiment at SURF). She mentioned she is currently in Europe and there is a lot of excitement about the Deep Underground Neutrino Experiment (DUNE) at SURF.

Dr. Heise talked about the neutrinoless double-beta decay experiment stating the report mentioned the next generation experiment going to Snolab in Canada and Gran Sasso in Italy and said SURF could play a role after the tonne-scale. Dr. Heise said he would be happy to give a presentation to the Resolution Committee if it came up and Dr. Aprahamian thanked him.

Motion by Dr. Fall and seconded by Mr. Musick to accept the executive director’s report as presented. Motion passed unanimously.

The board recessed at 10:05 AM for a ten-minute break and resumed at 10:15 AM.

ITEM 10. APPROVAL OF UPDATED SDSTA POLICIES

Mr. Headley said several SDSTA policies were updated and invited Mr. Miller to discuss the changes. Mr. Miller said legal counsel Mr. Engel and Mr. Aaron Scheibe from his firm, reviewed modifications to a few accounting policies and changes included: 1) general cleanup, 2) updates to reflect SDSTA’s current process and 3) a revised process to track the increase in assets as the organization grows.

Mr. Headley said the other update is to the Leave Policy. Originally when the Leave policy was created, SDSTA mirrored the State policy where employees earned three weeks of vacation at the start of employment and earned 4-weeks after 15-years of service. Human Resources Manager Chris Burger, who has been with SDSTA for a full year now, has strong ties with the Society for Human Resource Management (SHRM) and stated the SDSTA policy is out of date. The Leave Policy update allows employees to earn additional vacation in a shorter period of time. Also, when the Cooperative Agreement was originally implemented, a certain amount of salary escalation was included in the budget, but inflation has outpaced that by a noticeable amount. SDSTA has been researching ways to enhance the employee compensation package to stay competitive and this is one way to help address the issue. Mr. Headley also noted that SDSTA is making the switch to another medical provider to lower health insurance premiums, and this will be another advancement for employees.

Mr. Engel interjected that he visited with Ms. Burger during recess today and it was noticed that paragraph 13 of the Leave Policy that reads “For employees rehired by SDSTA within 12 months...” should be deleted. Also, he remarked that there could be a few additional changes to the Leave Policy soon and Chairperson Peterson acknowledged.

Motion by Mr. Wheeler and seconded by Ms. Lebrun to approve updated Accounting and Audit Policy, Leave Policy as discussed (with paragraph 13 deleted), Management and Control of Certain Funds Policy and Reimbursement of Alcohol Policy as presented. Motion passed unanimously.

Dr. Aprahamian left the meeting at 10:13 AM.

ITEM 11. SELECTING NOMINATING COMMITTEE

Chairperson Peterson said he asked Mr. Dykhous and Mr. Musick to serve on the nominating committee. He said Mr. Dykhous agreed and, during the announcement, Mr. Musick confirmed to serve on the committee also. The nominating committee will report to the board at the June 22, 2023, board meeting when the election of officers will be held.

ITEM 12. EXECUTIVE SESSION

Motion by Dr. Fall and seconded by Ms. Lebrun to enter into executive session to discuss personnel matters and to consult with legal counsel concerning contractual and legal matters as permitted by SDCL 1-25-2(1), (3) and (4), and SDCL 19-19-502. Motion passed unanimously.

The board entered into executive session at 10:22 AM and reconvened in open session at 11:14 AM.

A quorum was confirmed.

ITEM 13. REPORT FROM EXECUTIVE SESSION

Chairperson Peterson reported the board consulted with legal counsel concerning legal and contractual matters. No action was taken.

Motion by Mr. Wheeler and seconded by Mr. Musick to approve the executive session report. Motion passed unanimously.

ITEM 14. APPROVAL OF REVISED RISK TRANSFER PROTOCOLS

Mr. Engel said the SDSTA has risk transfer protocols that address how it shifts the risk of activities to others and also serves as a guideline to purchase insurance, among other things. The protocols have been going back and forth between legal and the DOE and this item is currently informational only. Mr. Engel said if the protocols are finalized before the June meeting, a special telephonic board meeting may be required to request approval.

ITEM 15. CONFIRM DATE AND TIME OF NEXT MEETING

Chairperson Peterson reminded the board of the next meeting, scheduled for Thursday, June 22, 2023 and said it may be held in Sioux Falls at the Washington Pavilion. He said the board would be notified as soon as possible.

ITEM 16. PUBLIC COMMENTS

Chairperson Peterson said he did not receive any public comment request forms and there were no questions.

ITEM 17. BOARD COMMENTS

There were no comments.

ITEM 18. ADJOURN

Chairperson Peterson called for a motion to adjourn.

Motion by Mr. Musick and seconded by Mr. Wheeler to adjourn. Motion passed unanimously.

Meeting adjourned at 11:19 AM.

**South Dakota Science and Technology Authority Board of Directors
Special Telephonic Meeting Minutes
Tuesday, June 6, 2023
Lead, South Dakota**

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 1:00 p.m. Mountain Time (MT) on Tuesday, June 6, 2023, via videoconference. A conference number and login were posted on the agenda with an invitation for members of the public to participate in the meeting electronically.

MEMBERS OF THE BOARD IN ATTENDANCE BY VIDEO CONFERENCE OR TELEPHONE

Dr. Ani Aprahamian (by phone)
Secretary/Treasurer Pat Lebrun (by videoconference)
Mr. Roger Musick (by phone)
Chairperson Casey Peterson (by videoconference)
Mr. Ron Wheeler (by phone)
Dr. James Rankin, ex-officio member

MEMBERS OF THE BOARD ABSENT

Dr. Chris Fall
Vice-Chairperson Dana Dykhouse

SDSTA STAFF IN ATTENDANCE

Mr. Tim Engel, General Counsel (by videoconference)
Mr. Mike Headley, Executive Director (listening post)
Ms. Michelle Kane, SURF Foundation Director (by phone)
Mr. Bill Kelly, Business Services Manager (listening post)
Ms. Mandy Knight, Administrative Services Manager (listening post)
Mr. Terry Miller, Chief Financial Officer (listening post)
Ms. Constance Walter, Communications Director (by phone)
Ms. April Yenglin, SURF Foundation Support Specialist (by phone)

ITEM 1. CALL TO ORDER

ITEM 1A. DETERMINATION OF A QUORUM

Chairperson Casey Peterson called the meeting to order at 1:00 p.m. (MT). Chairperson Peterson declared a quorum was present, consisting of board members Ms. Pat Lebrun, Mr. Roger Musick, Chairperson Casey Peterson and Mr. Ron Wheeler. Dr. James Rankin, ex-officio member also joined. Dr. Ani Aprahamian joined the meeting by phone at 1:10 p.m. Dr. Chris Fall and Mr. Dana Dykhouse were absent.

ITEM 1B. INTRODUCE GUESTS (LISTENING POST IN LEAD)

Guests present at the Lead Office listening post included: Mr. Mike Headley, Mr. Bill Kelly, Ms. Mandy Knight and Mr. Terry Miller. Mr. Engel joined by videoconference. Ms. Michelle Kane, Ms. Constance Walter and Ms. April Yenglin joined by phone.

ITEM 1C. PUBLIC COMMENT FORM

No public comment forms were submitted prior to the meeting. Chairperson Peterson said if there are any public comments to raise their hand via Zoom or submit a comment via chat during the meeting.

ITEM 2. APPROVE AGENDA

Chairperson Peterson asked for a motion to approve the agenda.

Motion by Mr. Musick and seconded by Ms. Lebrun to approve the agenda as presented. The motion passed unanimously.

ITEM 3. GENERAL CONFLICT OF INTEREST DISCLOSURE

Mr. Engel asked if any member of the board, who feels they have anything that might be construed to be a conflict of interest with respect to matters under consideration by the Board today, to disclose it verbally.

No conflicts of interest were disclosed.

ITEM 4. ACCEPT \$13M EXPANSION FUNDING FROM STATE

Mr. Headley said the Governor of South Dakota signed the \$13 million appropriation—Senate Bill 35—into law and it has been officially appropriated. SDSTA worked with the Governor’s Office of Economic Development (GOED) to deposit the funds into an interest-bearing account with the State. He said Mr. Miller worked with GOED to set up a mechanism to request funds from the account to pay bills in timely manner.

Mr. Headley recommended SDSTA Board of Director acceptance of the funds. He requested to allocate \$800,000 into the current year budget for the design contract; the cost of the contract plus contingency in the event scope needs to be added to the contract.

Chairperson Peterson said there could be additional interest income depending on how quickly the funds are spent and asked if the interest income would be included in the budget for this year. Mr. Headley said SDSTA had planned to allocate potential additional funds as construction draws nearer.

Mr. Wheeler asked what the percentage is on the interest-bearing account and Mr. Miller said he did not know at this time. Mr. Miller confirmed that the board had approved a one percent interest earning accrual last year.

In conclusion, Mr. Headley clarified that a cost estimate was provided by Thyssen Mining Inc (TMI) when expansion funds were sought earlier in the year, but SDSTA will get a firm number as the design contract is complete.

Motion by Mr. Wheeler and Mr. Musick to accept the \$13 million expansion appropriation from the State of South Dakota and to allocate \$800,000 to the FY23 South Dakota Science and Technology Authority budget to advance design and planning for the 4850-foot level lab space expansion. The motion passed unanimously.

ITEM 5. DISCUSSION AND APPROVAL OF TMI DESIGN CONTRACT FOR EXPANSION OF LABORATORY SPACE

Mr. Headley said there is a draft design contract in place, and it has been reviewed by Mr. Engel. They are working on a few more details and will have the final contract completed to sign no later than the end of next week. Mr. Headley asked the SDSTA Board of Directors for permission to negotiate final terms of the agreement and sign it.

Dr. Aprahamian joined the meeting at 1:10 p.m.

Motion by Ms. Lebrun and seconded by Mr. Ron Wheeler to authorize the executive director and legal counsel to negotiate final terms of the design contract between Thyssen Mining Inc. and South Dakota Science and Technology Authority in the amount of approximately \$660,000.00, and authorize the executive director to sign the contract and expend state grant funds for the design contract. The motion passed unanimously.

ITEM 6. PUBLIC COMMENTS

Chairperson Peterson asked if there were any questions from the public. There were none.

ITEM 7. BOARD COMMENTS

Mr. Headley thanked the board for their time.

Chairperson Peterson said the next regularly scheduled board meeting is Thursday, June 22, 2023, at 8:00 a.m. (MT) and will be held in the E&O Building Conference Room and via Zoom.

ITEM 8. ADJOURN

Motion by Mr. Musick and seconded by Mr. Wheeler to adjourn. The motion passed unanimously.

Meeting adjourned at 1:13 p.m. (MT) on June 6, 2023.

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Conflict of Interest Disclosure—Mr. Tim Engel

Invite members of the board to disclose anything that might be construed to be a conflict of interest relative to their role on the board.

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Disclosures Under SDCL CH. 3-23—Mr. Tim Engel

See recommended motion below.

Recommended Action:

Motion to approve or deny as appropriate.

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SURF Foundation—Ms. Michelle Kane

- 6A. Confirmation of the re-election of Fred Romkema to the Foundation Board—Director Michelle Kane.
- 6B. Foundation status update—Director Michelle Kane, *presentation*.

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Report from Audit Committee—Ms. Patricia Lebrun

7A. Annual appointment of committee members per Audit Charter, Chair Casey Peterson.

7B. Acceptance of Audit Report-fiscal year ended June 30, 2022, attached—Ms. Pat Lebrun.

(See recommended motions below.)

Recommended Action:

7A. Motion to confirm chairperson's appointment of audit committee members.

7B. Motion to accept Audit Report Fiscal Year Ended June 30, 2022 as reviewed and discussed at March 16, 2023 board meeting.

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SOUTH DAKOTA SCIENCE
AND TECHNOLOGY AUTHORITY
(A BUSINESS TYPE ENTERPRISE ACTIVITY COMPONENT UNIT OF
THE STATE OF SOUTH DAKOTA)

ANNUAL FINANCIAL REPORT
JUNE 30, 2022

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

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Independent Auditor's Report

Board of Directors of
South Dakota Science and Technology Authority
Denver, Colorado

Report on the Audit of the Financial Statements

Opinion

We have audited the financial statements of the business-type activities of South Dakota Science and Technology Authority, a component unit of the State of South Dakota, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the South Dakota Science and Technology Authority's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the South Dakota Science and Technology Authority, as of June 30, 2022, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of South Dakota Science and Technology Authority, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Correction of an Error

As described in Note 13 to the financial statements, certain errors resulting in an understatement of amounts previously reported for Construction in Process as of June 30, 2021 was discovered by management of South Dakota Science and Technology Authority. Accordingly, a restatement has been made to the business-type activities net position as of June 30, 2021, to correct the error. Our opinion is not modified with respect to that matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about South Dakota Science and Technology Authority's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of South Dakota Science and Technology Authority's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about South Dakota Science and Technology Authority's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 1 – 7 and the South Dakota Science and Technology Authority's proportionate share of the net pension liability (asset) and schedule of contributions on pages 29-31 be presented to supplement the basic financial statements. Such information is the responsibility of management and although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise South Dakota Science and Technology Authority's basic financial statements. The schedule of operating expenses and supplemental schedule of expenditures of federal awards are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplementary information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated December 15, 2022 on our consideration of the 's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of 's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering 's internal control over financial reporting and compliance.



Denver, Colorado
December 15, 2022

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS

JUNE 30, 2022

This section of the South Dakota Science and Technology Authority's (SDSTA's) annual financial report presents management's discussion and analysis of the SDSTA's financial performance during the fiscal year ended June 30, 2022 (FY 2022). This analysis should be read in conjunction with the financial statements and notes to the financial statements.

The SDSTA's financial statements include the operations of funds that the SDSTA has established to achieve its goal of maintaining the Sanford Underground Research Facility (SURF) in support of the science mission under the agreement with the Department of Energy's (DOE's) Office of Science. The property was donated by Homestake Mining Company of California, to the State of South Dakota and SDSTA in April 2006.

The activity of the SDSTA is accounted for as a proprietary fund type. The SDSTA is a component unit of the State of South Dakota, and its financial statements are included in the Annual Comprehensive Financial Report of the State of South Dakota.

Included in the financial statements presented is a current year comparison to prior year balance sheet summary, revenue and expense summary, and capital assets. Further reports reflect current year detailed statement of net position, statement of revenue, expense and changes in net position, cash flow, and schedule of operating expenses. Comparisons of current year to prior year are important to display increases and decreases in various elements of the financial reports for the SDSTA. Current year detailed reports provide significant detail for statement of net position, revenues, expenses, and cash flows for the SDSTA.

FINANCIAL HIGHLIGHTS:

- Total Assets at year-end increased to \$132,304,090.
- Current Assets increased by \$666,226. Cash on Deposit with State Treasurer decreased by \$163,991 primarily due to payments made on the Xenon Notes Payable to the foundations. Yet, Cash in the Local Bank increased by \$411,599 due to funds received from federal contracts late in the month on open accounts receivable. Prepaid expenses increased by \$378,311 primarily for insurance premiums paid. Inventory of Supplies also increased by \$293,344 for assets added.
- Capital Assets increased by \$7,872,459, net of depreciation expense. Page 5 details the major capital asset additions and deletions. Furthermore, page 16 summarizes the changes in capital assets by major categories. Most notable was the Sanford Lab Homestake Visitor Center donated from the Lead Area Chamber of Commerce. The current funding to manage and operate the facility comes from a Cooperative Agreement with the DOE – Office of Science that was effective September 30, 2019. Additional property purchased under this agreement is kept separate under the Capital Assets category, as this property has become vested in the SDSTA upon acquisition.
- Net Pension Asset increased to \$4,730,555. The State's retirement system is fully funded (see Note 6 – page 19). The SDSTA's total contributions to the South Dakota Retirement System (SDRS) increased by \$39,396 from 2021 to 2022. This was due primarily to an increase in personnel wages. GASB standards allow entities to use a pension measurement date up to one year prior to the entities reporting period. Therefore, the SDSTA is using a June 30, 2021, pension measurement date for our fiscal year end June 30, 2022, statements. GOED funding of \$2,000,000 received in 2017 along with loans from various South Dakota Foundations have enabled the SDSTA to purchase xenon to be used in the future LZ experiment. Xenon purchased remains the same as last year at \$8,934,350 as of June 30, 2022. In summary, Net Pension Asset and Xenon Purchased have increased by \$4,730,555.
- Pension Related Deferred Outflows is also related to our retirement plan with SDRS. The amounts recorded relate to our proportionate share of the differences between expected and actual experience in pension earnings along with the SDSTA's pension contributions made subsequent to June 30, 2021. Asset Retirement Obligation Deferred Outflows is the estimated costs associated with closing the SURF facility. The total Deferred Outflows of Resources have increased to \$7,642,751.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)

JUNE 30, 2022

- Total Liabilities at year end increased to \$10,695,495. Accounts payable is slightly lower when comparing the two time periods. However, liabilities associated with employee wages, leave and benefits increased due to additional personnel wages and increases in vacation and sick accruals. Also, the increase is due to reporting an Asset Retirement Obligation liability for the first time at June 30, 2022.
- Pension Related Deferred Inflows is also connected to our retirement plan with SDRS. The recorded amount relates to our portion of the difference between projected and actual earnings on pension plan investments and changes in various assumptions. Our portion has increased to \$9,300,127.
- Total Restricted Net Position increased to \$12,282,139. This increase is primarily due to the increase in the restricted net pension. There was a slight decrease due to spending the funds restricted for the MSF for final construction costs and outfitting of the facility, and payments made on the Xenon Notes Payable to the foundations.
- Unrestricted Net Position increased by \$792,294 to \$13,269,156.
- Total Net Position at year end increased by \$9,814,430 to \$119,951,220.
- Charges for Services increased slightly to \$473,945. New revenue source for gift store sales at the Sanford Lab Homestake Visitor Center and an increase from Homestake due to an increase in the amount of water being treated and discharged for Homestake. Additional income was received from private corporations, Caterpillar Global Mining LLC for rental charges as well as Thyssen Mining, subcontractors with Fermi National Accelerator Laboratory (FNAL) that has been contracted to excavate the rock for the large experimental facility underground at the 4850 foot level (4850L) for the Long Baseline Neutrino Facility (LBNF).
- Operating Grants increased to \$38,389,624. The revenue received in this classification includes \$32,512,365 from the Cooperative Agreement with DOE, \$4,569,536 from FRA, and \$1,307,723 from various smaller contracts.
- Miscellaneous revenue decreased to \$410,953 primarily due to a decrease in revenue from the Sanford Underground Research Facility Foundation and other miscellaneous receipts.
- Capital Grants and Contributions increased to \$4,066,941. This amount is related to the various property that was transferred by the Department of Energy (DOE) Fermi Site Office to the SDSTA as well as property acquired during the prior fiscal year from the Cooperative Agreement. This also includes the donation of the Sanford Lab Homestake Visitor Center from the Lead Area Chamber of Commerce.
- Investment Earnings for fiscal year 2022 are at \$171,113. The unrealized appreciation and undistributed earnings that were reversed from the prior year when compared to the current year unrealized appreciation and undistributed earnings results in an increase in investment earnings. Also, investment earnings of \$102,964 were received on the cash on deposit with State Treasurer. This actual allocation compared to last year decreased by \$123,262 due to a lower amount of cash being deposited for investment with the State Treasurer.
- Total Program Expenses for the SDSTA were \$33,698,146 which represents a decrease of 0.88% percent from the previous year. Included in Total Program Expenses are Operating Expenses which decreased by \$2,550,382 to \$33,331,675. Personnel Services represent 57 percent of the Operating Expenses; Contractual Services represent 24 percent; and Supplies, Materials, Travel, Depreciation, and Other Expenses represent 19 percent of these expenses. Most of the decrease in Operating Expenses is due to increased Construction in Progress recorded.
- Net Position increased by \$9,814,430 for fiscal year 2022.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED) **JUNE 30, 2022**

FINANCIAL STATEMENT ELEMENTS:

NET POSITION

	2022	2021 (restated)	Dollar Change	Percent Change
Current Assets	\$ 24,239,260	\$ 23,573,034	\$ 666,226	2.83%
Capital Assets	94,399,925	86,527,467	7,872,458	9.10%
Net Pension Asset and Xenon Purchased	13,664,905	8,958,957	4,705,948	52.53%
Total Assets	132,304,090	119,059,458	13,244,632	11.12%
Pension Related Deferred Outflows	6,513,113	4,111,205	2,401,908	58.42%
Asset Retirement Obligation Deferred Outflows	1,129,638	-	1,129,638	100.00%
Total Deferred Outflow of Resources	7,642,751	4,111,205	3,531,546	85.90%
Long-Term Liabilities Outstanding	7,911,151	6,812,442	1,098,709	16.13%
Other Liabilities	2,784,343	2,753,532	30,811	1.12%
Total Liabilities	10,695,494	9,565,974	1,129,520	11.81%
Pension Related Deferred Inflows	9,300,127	3,467,899	5,832,228	168.18%
Net Position:				
Net Investment in Capital Assets	94,399,925	86,527,467	7,872,458	9.10%
Restricted	12,282,139	11,132,462	1,149,677	10.33%
Unrestricted	13,269,156	12,476,862	792,294	6.35%
Total Net Position	\$ 119,951,220	\$ 110,136,791	\$ 9,814,429	8.91%

CHANGE IN NET POSITION

	2022	2021 (restated)	Dollar Change	Percent Change
Revenues				
Program Revenues:				
Charges for Services	\$ 473,945	\$ 370,420	\$ 103,525	27.95%
Operating Grants	38,389,624	33,963,788	4,425,836	13.03%
Miscellaneous	410,953	482,810	(71,857)	-14.88%
Capital Grants and Contributions	4,066,941	1,563,103	2,503,838	160.18%
General Revenues:				
Investment Earnings	171,113	(274,708)	445,821	-162.29%
Total Revenue	43,512,576	36,105,413	7,407,163	20.52%
Program Expenses:				
Science and Technology Authority	33,698,146	33,998,168	(300,022)	-0.88%
Total Expense	33,698,146	33,998,168	(300,022)	-0.88%
Change in Net Position	9,814,430	2,107,245	7,707,185	365.75%
Net Position-Beginning (restated)	110,136,790	108,029,545	2,107,245	1.95%
Net Position-Ending	\$ 119,951,220	\$ 110,136,790	\$ 9,814,430	8.91%

By June 30, 2022, the SDSTA had invested \$94,399,926 in a broad range of capital assets, including computer equipment, land, buildings, improvements to infrastructure and the underground, and various machinery and equipment. \$20,551,152 of this \$94,399,925 (approximately 22% of this total value) was donated by Barrick Gold.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED) JUNE 30, 2022

CAPITAL ASSETS (Net of Depreciation)

	2022	2021 (restated)	Change
Improvements	\$ 43,887,893	\$ 45,214,485	\$ (1,326,592)
Underground	17,936,955	17,936,955	-
Buildings	14,776,029	11,298,152	3,477,878
Computer Equipment	69,868	115,866	(45,998)
Machinery and Equipment	4,006,075	4,356,769	(350,694)
Construction in Progress	4,118,733	2,300,282	1,818,451
Land	1,924,136	1,814,136	110,000
Infrastructure	1,451,642	1,504,097	(52,455)
Furniture	6,737	11,224	(4,487)
Archive Material	70,000	70,000	-
Auto	334,972	205,147	129,825
DOE Property Transfer	5,816,885	1,700,354	4,116,531
Total Capital Assets	\$ 94,399,926	\$ 86,527,467	\$ 7,872,459

This year's major capital asset additions and deletions included:

Purchased Capital Assets:

Land Donated for the Sanford Lab Homestake Visitor Center from the Lead Area Chamber \$ 110,000

Improvements in Progress (Current Year Additions): -

Sanford Lab Homestake Visitor Center Upgrade and Design Displays 38,937

IIP Projects (net) 1,779,515

Autos (Current Year Additions):

(4) Dodge Pickups Purchased for SDSTA Fleet 121,322

(1) Ford Transit Passenger Van Purchased for SDSTA Fleet 49,293

Buildings (Current Year Additions):

Building Donated for the Sanford Lab Homestake Visitor Center from the Lead Area Chamber 3,793,589

Computer Equipment, Machinery and Equipment (Current Year Additions):

Davis Ring Experiment Donated for the Sanford Lab Homestake Visitor Center from the Lead Area Chamber 52,133

Mine Refuge Changer Donated from KAJV 62,447

Joy Fan in Ross Tramway 6,710

Termination Cabinets for Ross Pump System 15,914

Computer Equipment, Machinery and Equipment (Current Year Deletions): -

(2) 8 Ton Locomotive (End of Life) (260,000)

(2) Micro 1000 Data Loggers (End of Life) (15,410)

Vertical Diesel Symo Power Unit (End of Life) (14,023)

Laser Scan Station (End of Life) (59,609)

DOE Property Transfer:

Pipe Cutter, Bobcat Skid steer, Doors for the Ross and Yates Cages, HPE Gen Server, Ross Complex Waterline, Yates Hoist Gen Set Refurbished, Mini Excavator w/ Angle Blade and Buckets, Gravity Flow System, Alpha Guard Pump and Radon Monitor, Yates complex Waterline and Meter Building, Maestro Mine Regulator and Air Quality Station, and Pumps. 4,451,801

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED) **JUNE 30, 2022**

LONG-TERM DEBT

At the year-end, the SDSTA had \$7,911,151 in other long-term obligations. This is an increase of approximately 16% as shown below.

	2022	2021	Total Dollar Change	Total Percentage Change
Compensated Absences	\$ 781,513	\$ 812,442	\$ (30,929)	-3.81%
Asset Retirement Obligation	1,129,638	-	1,129,638	100.00%
Xenon Notes Payable	6,000,000	6,000,000	-	0.00%
Total Long-Term Debt	\$ 7,911,151	\$ 6,812,442	\$ 1,098,709	16.13%

- The SDSTA is liable for the accrued vacation leave payable to all full-time employees. In addition, the SDSTA is liable for a portion of the earned sick leave of employees who have been employed for seven consecutive years. The \$30,929 decrease in compensated absences is due to a decrease in the corresponding amount of leave accumulated and outstanding at the end of the year for employees. There was not an increase in the xenon notes payable in fiscal year 2022. The Asset Retirement Obligation is being reported for the first time at June 30, 2022. Note (4) Long-Term Debt in the Notes to Financial Statements on page 17 details the activity for the period for compensated absences, asset retirement obligation and the xenon note payable.
- On October 31, 2019 the SDSTA signed a Promissory Note with the First Interstate Bank for \$5,000,000. This agreement represents a variable rate revolving line of credit. Collateral for this line of credit includes the SDSTA's Account Receivable. The SDSTA put this loan in place if government funding were to be slowed due to a government shutdown. The SDSTA has not drawn down any funding from this line of credit. The maturity date is October 31, 2022 at which time we will renew for another one-year term.

ECONOMIC FACTORS

- A report released from the Particle Physics Project Prioritization Panel (P5) in May 2014, outlined the 10-year strategic plan for high-energy physics in the United States. The report provides strong support for science programs envisioned to be located at SURF, including research into neutrinos and dark matter, both of which are being researched at SURF. This panel formally advises both the DOE Office of Science and the National Science Foundation (NSF) on support for physics. This report has played a key role in the evolution of SURF and its experiments. The next P5 report is in development and is planned to be released in 2023.
- The SDSTA's Board of Directors approved an operating budget of \$2,226,624 for fiscal year 2023 in favor of SDSTA supported activities
- The SDSTA transitioned to a five-year Cooperative Agreement with the Department of Energy's (DOE) Office of Science in September 2019 including a budget of \$123,458,448 for five years of SURF Operations. We are in the third year of this award with a current budget of \$24,236,978. An additional \$15,391,601 has been received to date for Infrastructure Improvement Projects (IIP). Contract to date expenditures through the end of June 2022 are at \$63,046,355 for the Operations portion and \$12,746,126 for the IIP portion.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)

JUNE 30, 2022

ECONOMIC FACTORS (Continued)

- In late 2012, the DOE approved the Long Baseline Neutrino Experiment (LBNE) to proceed with preliminary designs to construct a large neutrino detector at SURF. In October 2014, the United States along with international partners agreed that SURF was to remain the host for the LBNE related detectors. After further meetings, the LBNE collaboration officially dissolved and transferred all experiment responsibilities to a new collaboration referred to as the associated Deep Underground Neutrino Experiment (DUNE) consisting of United States and International support. The facility to host DUNE, called the Long Baseline Neutrino Facility (LBNF), will send neutrinos through the earth from Fermilab in Batavia, Illinois to SURF in Lead, SD. More recent developments (September 2016) involve the DOE formally approving plans for construction at SURF. The first step of installing LBNF systems to transport 875,000 tons of rock to the surface began in January 2019. Underground activities to excavate rock in order to house the neutrino detectors and related utilities began in June 2021. DOE Support for professional engineering management services continues into fiscal year 2023 for this LBNF effort.
- The LBNF/DUNE Logistics Support Services contract continues with our support to the Long-Baseline Neutrino Facility (LBNF)/Deep Underground Neutrino Experiment (DUNE) construction efforts with the buildout of the large underground caverns at SURF for this experiment.
- Further funding was received in fiscal year 2022 through Lawrence Berkeley National Laboratory (LBNL) in support of various experiments. Included was support for the LUX-ZEPLIN (LZ) experiment operations as well as a geothermal energy research project called SIGMA-V. These awards reimbursed the SDSTA for expenses incurred in support of the various experiments for materials and supplies as well as a percentage of the salaries of the design team members for their project management skills essential to the work being performed. Support continues in fiscal year 2023 for these same activities through LBNL.
- Additional funding was received during the fiscal year from Oak Ridge National Laboratory and South Dakota Mines. Funds were received to support the Majorana Demonstrator experiment located at the 4850L Davis Campus. Support continues in fiscal year 2023 from Oak Ridge. The CASPAR experiment funded by SD Mines was decommissioned in April 2021. Most of their equipment remains in the current 4850L for future use in their experiment at SURF. This experiment could resume as early as 2024.
- Additional funding was received from the Kiewit/Alberici Joint Venture and Thyssen Mining Inc. for equipment rentals and miscellaneous items associated with the LBNF project. Amounts charged were then credited to the Cooperative Agreement as the equipment maintenance charges were covered under that funding. An additional agreement was signed with Thyssen Mining Inc. in March 2021 to lease the Ross Pipe Shop and the Ross Maintenance Shop during their excavation of the cavern for the DUNE project. The term of the lease commenced July 1, 2021 and will end upon the completion of the LBNF construction phase 1B, which is estimated to be February 28, 2024.
- A lease agreement was signed on September 15, 2020 whereby Caterpillar Global Mining LLC is leasing two existing rooms located on the SURF 1700-foot level underground. The initial term of the lease began on October 1, 2020 and shall continue until September 30, 2030. The vendor will be developing and testing new mining technology for the industry and intends to commercially sell the newly developed technology. The base rent of \$150,000 per annum is considered "Program Income" by the DOE Cooperative Agreement and is added to the funds committed to the award and will be used to further eligible SURF Operations projects.
- A Letter Agreement dated February 24, 2014 between the SDSTA and Black Hills State University (BHSU) provided up to \$300,000 per year for three years from the SDSTA to BHSU to administer the Sanford Science Education Center. Matching funds of \$150,000 per year by BHSU is documented. An amended agreement dated June 6, 2017 committed an additional \$275,000 toward education and outreach priorities for the period July 2017 – June 2018. The agreement was amended as of June 8, 2018 for \$275,000 for the period July 2018 –

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

MANAGEMENT'S DISCUSSION AND ANALYSIS (CONCLUDED) JUNE 30, 2022

ECONOMIC FACTORS (Continued)

June 2019. Furthermore, the agreement was amended as of July 2019 and again in May 2020 and May 2021 for \$660,000 each year for additional one-year periods. The agreement was again amended as of June 2022 for \$620,000 for an additional one-year period. The full period of performance now extends from June 2014 through June 2023. The funding going forward for the Sanford Science Education Center program through BHSU is included in the indirect expenses of the Cooperative Agreement with the DOE Office of Science. This type of funding is encouraged as Cooperative Agreements require the support of a public purpose.

- An additional Letter Agreement between SDSTA and BHSU was initiated in August 2020 to administer and advance the success of the SURF Artist in Residence (AiR) program. \$38,000 was committed by the SDSTA towards collaborative efforts in artistic works and activities. The agreement was amended in August 2022 for an additional year of support for \$42,500. This agreement is funded through SDSTA funds.
- The SDSTA is compliant with all legal and environmental regulations.

CONTACTING THE SDSTA'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, and investors and creditors with a general overview of the SDSTA's finances and to demonstrate the SDSTA's accountability for the money it receives. If you have any questions about this report or need additional information, contact the South Dakota Science and Technology Authority, 630 East Summit Street, Lead, SD 57754.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY**STATEMENT OF NET POSITION****JUNE 30, 2022****ASSETS****Current Assets**

Cash in Local Bank and Petty Cash	\$ 5,798,703
Cash on Deposit with State Treasurer	11,396,219
Accounts Receivable	2,399,204
Interest Receivable	28,944
Prepaid Expenses	970,079
Inventory of Supplies & Warehouse	3,646,111
Total Current Assets	24,239,260

Noncurrent Assets

Xenon Purchased (note 5)	8,934,350
Net Pension Asset	4,730,555
Land	1,924,136
Underground	17,936,955
Buildings, Machinery, Equipment, Infrastructure, & DOE Property Transferred (Net) (Note 3)	74,538,834
Total Noncurrent Assets	108,064,830

TOTAL ASSETS **132,304,090****Deferred Outflows of Resources**

Asset Retirement Obligation Deferred Outflows	1,129,638
Pension Related Deferred Outflows	6,513,113
Total Deferred Outflow of Resources	7,642,751

LIABILITIES**Current Liabilities**

Accounts Payable	912,430
Accrued Wages and Benefits	1,090,401
Accrued Leave, Benefits (Note 4)	781,512
Total Current Liabilities	2,784,343

Long-Term Liabilities

Accrued Leave, Benefits (Note 4)	781,513
Asset Retirement Obligation (Note 4)	1,129,638
Long-Term Xenon Notes Payable	6,000,000
Total Long-Term Liabilities	7,911,151

TOTAL LIABILITIES **10,695,494****Deferred Inflows of Resources**

Pension Related Deferred Inflows	9,300,127
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NET POSITION

Invested in Capital Assets	94,399,925
Restricted for:	
Mine Closure	1,567,553
Experiments	744,642
Indemnification	7,500,000
Pension	1,943,542
Foundation	526,402
Unrestricted Net Position	13,269,156
TOTAL NET POSITION	\$ 119,951,220

The accompanying notes are an integral part of this statement.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
FOR THE YEAR ENDED JUNE 30, 2022**

Operating Revenue	
Charges for Goods and Services	\$ 473,945
Operating Grants	38,389,624
Miscellaneous	410,953
Total Operating Revenue	39,274,522
Operating Expenses	
Personnel Services	18,894,843
Travel	156,521
Contractual Services	8,163,051
Supplies, Materials and Other Operating Expenses	3,467,222
Depreciation Expense	2,650,038
Total Operating Expenses	33,331,675
Operating Gain	5,942,847
Nonoperating Revenues/Expenses	
Interest Revenue	171,113
Contributions	86,472
Other Expense	(366,471)
Total Nonoperating Revenues/Expenses	(108,886)
Capital Grants	3,980,469
Change in Net Position	9,814,430
Net Position -- Beginning of Year (as restated)	110,136,790
Net Position -- End of Year	\$ 119,951,220

The accompanying notes are an integral part of this statement.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED JUNE 30, 2022

Cash Flows from Operating Activities:

Other Operating Cash Receipts	\$ 948,147
Cash Receipts from Operating Grants	38,646,890
Cash Payments to Employees for Services	(20,129,502)
Cash Payments to Suppliers of Goods and Services	(12,520,489)
Net Cash Used by Operating Activities	6,945,046

Cash Flows from Noncapital Financing Activities:

Interest/Insurance Paid on Xenon	(350,224)
Grants & Donations Paid	-
Net Cash Used by Noncapital Financing Activities	(350,224)

Cash Flows from Capital and Related Financing Activities:

Purchase of Capital Assets	(6,519,266)
Net Cash Used by Capital and Related Financing Activities	(6,519,266)

Cash Flows from Investing Activities:

Interest Earnings	172,051
Net Cash Provided by Investing Activities	172,051

Net increase in Cash and Cash Equivalents 247,608

Cash and Cash Equivalents at Beginning of Year 16,947,314

Cash and Cash Equivalents at End of Year 17,194,922

Reconciliation of Operating Loss to Net Cash Used in Operating Activities:

Operating Gain	5,942,847
<i>Adjustments to Reconcile Operating Loss to Net Cash Used in Operating Activities:</i>	
Depreciation & Amortization Expense	2,650,038
Change in Assets and Liabilities:	
Receivables	320,515
Prepaid Expenses	(354,349)
Inventory of Supplies	(376,384)
Net Pension Asset	(4,705,949)
Decrease(Increase) in Deferred Outflow of Resources - Pension	(2,401,908)
Increase (Decrease) Deferred Inflow of Resources - Pension	5,832,228
Accounts and Other Payables	(2,961)
Accrued Wages Payable	102,828
Accrued Leave Payable	(61,859)
Net Cash Used in Operating Activities	\$ 6,945,046

Continued on next page

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

**STATEMENT OF CASH FLOWS (CONTINUED)
FOR THE YEAR ENDED JUNE 30, 2022**

Cash and Cash Equivalents:

Cash in Local Bank	\$	5,797,653
Petty Cash		1,050
Cash with State Treasurer		11,396,219
Total Cash and Cash Equivalents		17,194,922

Non-Cash Capital and Related Financing Activities:

Loss on Disposal of Assets		11,849
Donated Capital Assets		3,980,469
Donated Inventory of Supplies		293,344
Total Non-Cash Activities	\$	4,285,662

The accompanying notes are an integral part of this statement.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2022

(1) Summary of Significant Accounting Policies

a. Reporting Entity

The South Dakota Science and Technology Authority (SDSTA) was created and organized by Chapter 1-16H of the South Dakota Codified Laws. The purposes of the SDSTA is to foster and facilitate scientific and technology investigation, experimentation, and development by creating a mechanism through which laboratory, experimental and development facilities may be acquired, developed, constructed, maintained, operated, and decommissioned. The initial focus of the SDSTA is to support the transfer of the Homestake Gold Mine in Lead, South Dakota for development by the research community to become the world's premier Underground Science and Engineering Laboratory; more specifically, the Sanford Underground Research Facility (SURF). Additional focus is maintained by the SDSTA for an education and outreach program detailing the progress. The SDSTA is a business type component unit of the State of South Dakota (the State). As such, the accompanying financial statements are included in the Annual Comprehensive Financial Report of the State of South Dakota.

The Sanford Underground Research Facility Foundation (SURFF) is a legally separate, tax exempt component unit of the SDSTA. The SURFF was established as a fundraising organization to supplement resources for the SDSTA programs related to education, internships, public outreach, and the development of the SURF Institute. Thus, the services the SURFF provides is for the SDSTA. The sitting Chairperson of the SDSTA serves as a voting Director on an ex officio basis and is included in the total number of Directors as listed by the Bylaws. Two board members from the SDSTA are also on the Board of the SURF Foundation. The SDSTA is also responsible for any outstanding debt.

b. Fund Accounting

The SDSTA Fund is accounted for as an enterprise fund. Enterprise funds are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

c. Measurement Focus, Basis of Accounting

The SDSTA Fund follows the economic resources measurement focus and accrual basis of accounting, wherein revenues are recognized when earned and expenses are recognized when incurred. Likewise, the SURFF follows the accrual basis of accounting. Revenues are recognized when they are earned, and expenses are recognized when they are incurred.

d. Inventory of Supplies

Inventory of supplies consists primarily of expendable equipment/supplies, donated and purchased, not yet in service. Donated inventory of supplies are revalued at their estimated fair value on date of donation. Purchased equipment values are reported at cost. Reported cost values include ancillary charges necessary to place the asset into its intended location and condition for use at a later date.

e. Capital Assets

Capital assets include land, buildings, machinery and equipment, and all other tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period. Infrastructure assets are long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years than most capital assets. Capital assets are recorded at historical cost. Donated capital assets are valued at their estimated fair value on the date donated. Reported cost values include ancillary charges necessary to place the asset into its intended location and condition for use.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(1) Summary of Significant Accounting Policies (Continued)

e. Capital Assets (Continued)

Subsequent to initial capitalization, improvements or betterments that are significant, and which extend the useful life of a capital asset are also capitalized. Depreciation of all exhaustible capital assets is recorded as an expense in the Statement of Revenues, Expenses, and Changes in Net Position, with net capital assets reflected in the Statement of Net Position. Accumulated depreciation is reported on the Statement of Net Position.

Capitalization thresholds (the dollar values above which asset acquisitions are added to the capital asset accounts), depreciation methods, and estimated useful lives of capital assets reported in the SDSTA's financial statements are as follows:

	Capitalization Threshold	Depreciation Method	Estimated Useful Life
Land and Land Rights	All Land	N/A	N/A
Improvements	\$ 5,000	Straight-line	10-50 yrs.
Infrastructure	5,000	Straight-line	25-50 yrs.
Buildings	5,000	Straight-line	10-50 yrs.
Automobiles, Furniture, Machinery and Equipment	5,000	Straight-line	2-75 yrs.

f. Revenue and Expense Classifications

In the Statement of Revenues, Expenses, and Changes in Net Position, revenues and expenses are classified in a manner consistent with how they are classified in the Statement of Cash Flows. That is, transactions for which related cash flows are reported as capital and related financing activities, non-capital financing activities, or investing activities are not reported as components of operating revenue or expenses. The Authority's proprietary fund distinguishes between operating and non-operating revenues and expenses. Operating revenues and expenses of the SDSTA consist of reimbursement of the costs of operations from Homestake Mining Company and other entities, and the costs of providing those services, including depreciation. All other revenues and expenses are reported as non-operating.

g. Cash and Cash Equivalents

Cash includes cash on hand, demand deposits, and participating interest in the State's internal investment pool held by the State Treasurer. The amount held in the State's internal investment pool is reported at fair value. The SDSTA essentially has access to the entire amount of their cash resources on demand. Accordingly, equity in the cash management pool is considered to be cash and cash equivalents for the purpose of the Statement of Cash Flows.

h. Equity Classifications

Equity is classified as net position and is displayed in three components:

1. Net investment in capital assets consists of capital assets, including restricted capital assets, net of accumulated depreciation (if applicable) and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvements of those assets.
2. Restricted net position consists of net position with constraints placed on their use either by (a) external groups such as creditors, grantors, contributors, or laws and regulations of other governments; or (b) law through constitutional provisions or enabling legislation.
3. Unrestricted net position all other net position that do not meet the definition of "restricted" or "net investment in capital assets."

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(1) Summary of Significant Accounting Policies (Concluded)

i. Application of Net Position

It is the SDSTA's policy to first use restricted net position, prior to the use of unrestricted net position, when an expense is incurred for purposes for which both restricted and unrestricted net position are available.

j. Accrued Leave

Compensated absences consist of vacation and sick leave earned. The vacation leave is earned by full-time employees at the rate of 4.62 hours per pay period, increasing to 6.16 hours per pay period after 15 years of service. The vacation leave may accumulate only to a maximum of twice the annual accrual. Upon retirement or resignation, only full-time employees with 180 days of continuous service will be paid for accumulated vacation leave. Sick leave is earned at the rate of 4.32 hours per pay period. Upon termination, some employees are entitled to receive compensation for a portion of their sick leave balance. Those with seven years of service or more will receive compensation at the rate of 25 percent of their balance up to a maximum of 480 hours.

k. Pensions

For purposes of measuring the net pension liability (asset), deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense (revenue), information about the fiduciary net position of the South Dakota Retirement System (SDRS) and additions to/deletions from SDRS's fiduciary net position have been determined on the same basis as they are reported by SDRS. The SDSTA's contributions and net pension liability (asset) are recognized on an accrual basis of accounting.

l. Leases

GASB 87 was implemented in FY2022. We evaluated all current leases to determine if they meet the GASB definition of a lease. For those that did meet the definition of a lease, we concluded they were immaterial for reporting in FY2022. We will analyze this each Fiscal Year.

m. Asset Retirement Obligation

GASB 83 "Certain Asset Retirement Obligations" was implemented in FY2022. We reported an asset retirement obligation see note 4. This cost will be evaluated each fiscal year and updated for any changes.

(2) Deposits and Investments

Deposits

The majority of the SDSTA's cash is on deposit with the State Treasurer. Such funds are invested through the South Dakota Investment Council. Management of the State's internal investment pool is the statutory responsibility of the South Dakota Investment Council (SDIC). The investment policy and required risk disclosures for the State's internal investment pool are presented in the audit report of the South Dakota Investment Council, which can be obtained by contacting the Department of Legislative Audit, 427 South Chapelle, c/o 500 East Capitol, Pierre, South Dakota 57501.

Custodial credit risk is the risk that in the event of a bank failure, the SDSTA's deposits may not be returned to it. The SDSTA does not have a deposit policy for custodial credit risk. None of the SDSTA's deposits were exposed to custodial credit risk.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED) **JUNE 30, 2022**

(2) Deposits and Investments (continued)

Investments

In general, SDCL 1-16H-18 permits funds to be invested in (a) direct obligations of, or obligations the principal of the interest on which are fully guaranteed or insured by, the United States of America; or (b) obligations of any solvent insurance company or other corporation or business entity if rated in the two highest classifications established by a standard rating service or insurance companies or a nationally recognized rating agency; or (c) short term discount obligations of the Federal National Mortgage Association; or (d) obligations of any state of the United States or any political subdivision, public instrumentality, or public authority of any state of the United States, which obligations are not callable before the principal is to be paid, are fully secured as to both sufficiency and timely payment by, and payable solely from, obligations described in (a). The SDSTA did not have any investments as of June 30, 2022.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED) JUNE 30, 2022

(3) Changes in Capital Assets

A summary of changes in capital assets for the year ended June 30, 2022, is as follows:

	Balance June 30, 2021 (restated)	Reclassified*	Increases	Decreases	Balance June 30, 2022
Business-Type Activities:					
Capital Assets, not Being Depreciated:					
Land	\$ 1,814,136	\$ -	\$ 110,000	\$ -	\$ 1,924,136
Underground	17,936,955	-	-	-	\$ 17,936,955
Archive Materials	70,000	-	-	-	\$ 70,000
Construction Work in Progress (CIP) (see Note 10)	2,300,282	(3,542,500)	5,360,951	-	\$ 4,118,733
Total Capital Assets, not Being Depreciated	22,121,373	(3,542,500)	5,470,951	-	\$ 24,049,824
Capital Assets, Being Depreciated:					
DOE Property Transferred	1,876,476	3,542,500	909,301	-	\$ 6,328,277
Automobiles	306,996	-	170,615	-	\$ 477,611
Buildings	13,589,656	-	3,793,589	-	\$ 17,383,244
Furniture	74,212	-	-	6,914	\$ 67,298
Computer Equipment	354,678	-	-	15,044	\$ 339,634
Improvements	55,625,517	-	-	-	\$ 55,625,517
Infrastructure	2,003,189	-	-	-	\$ 2,003,189
Machinery and Equipment	10,465,473	-	194,040	476,070	\$ 10,183,443
Total Capital Assets, Being Depreciated	84,296,197	3,542,500	5,067,545	498,028	\$ 92,408,213
Total Capital Assets, Before Depreciation	106,417,570	-	10,538,496	498,028	\$ 116,458,037
Less Accumulated Depreciation:					
DOE Property Transferred	176,122	-	335,270	-	\$ 511,392
Automobiles	101,849	-	40,790	-	\$ 142,639
Buildings	2,291,504	-	315,711	-	\$ 2,607,215
Computer Equipment	238,812	-	45,998	15,044	\$ 269,766
Furniture	62,988	-	4,486	6,913	\$ 60,561
Improvements	10,411,032	-	1,326,592	-	\$ 11,737,624
Infrastructure	499,092	-	52,455	-	\$ 551,547
Machinery and Equipment	6,108,704	-	528,735	460,071	\$ 6,177,368
Total Accumulated Depreciation	19,890,103	-	2,650,037	482,028	\$ 22,058,112
Capital Assets, Net	\$ 86,527,467	\$ -	\$ 7,888,459	\$ 15,999	\$ 94,399,925

*Reclassifications are due to the SDSTA performing analysis of assets that were previously grouped in construction work in progress costs. Various items were transferred to the correct category as they were placed into service.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(4) Long-Term Debt

A summary of changes in long-term debt follows:

	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Accrued Compensated Absences	\$ 1,624,884	\$ 863,122	\$ 924,981	\$ 1,563,025	\$ 781,512
Asset Retirement Obligation	-	1,129,638	-	1,129,638	-
Xenon Notes Payable	6,000,000	-	-	6,000,000	-
	<u>\$ 7,624,884</u>	<u>\$ 1,992,760</u>	<u>\$ 924,981</u>	<u>\$ 8,692,663</u>	<u>\$ 781,512</u>

Xenon Notes Payable

Loan Agreements with S.D. Community Foundation (SDCF), S.D. State University Foundation (SDSUF), and University of S.D. Foundation (USDF) to purchase xenon.

Repayment of Xenon Notes Payable

Each Foundation's share of the xenon shall be sold at a time such that the loans will be paid by the maturity date provided by the loan documents. Furthermore, if the SDSTA sells the xenon for more than the cost to purchase it, the Foundations shall be paid the full principal amount payable plus an amount equal to the Average Return times the number of liters of xenon purchased using Foundation Funds. The "Average Return" means the total price received for the sale of all xenon owned by SDSTA within the Project minus the amount paid to all Foundations providing funding, with the difference then divided by the total number of liters sold. Furthermore, if the SDSTA fails to pay any payment required on or before the due date, the Foundations may declare the entire remaining balance immediately due and payable.

The loans are 11 year, unsecured non recourse loans with 2.5% simple interest paid quarterly. The SDCF note is due on October 1, 2026. The SDSUF and USDF notes are due December 1, 2026.

Also see Note 8. \$ 6,000,000

The annual requirements to amortize long-term debt outstanding as of June 30, 2022, are as follows:

	Xenon Notes Payable		Totals	
	Interest	Principal	Interest	Principal
2023	150,000	-	150,000	-
2024	150,000	-	150,000	-
2025	150,000	-	150,000	-
2026	150,000	-	150,000	-
2027	62,500	6,000,000	62,500	6,000,000
Total	<u>\$ 662,500</u>	<u>\$ 6,000,000</u>	<u>\$ 662,500</u>	<u>\$ 6,000,000</u>

Asset Retirement Obligation

South Dakota Science and Technology Authority has deemed there would be costs associated with closing the SURF facility, if abandoning the site would occur. Outside regulatory agencies that would be involved with oversight of the closure would be the U.S. Environmental Protection Agency, and the South Dakota Department of Agriculture and Natural Resources. The capital assets on SDSTA's financial statements that would be included in the asset retirement obligation are land, above ground and underground infrastructure, and buildings. We used a team of internal experts to develop the estimate including: mining engineers, mechanical engineers, construction managers, heavy equipment experts, all with expertise in mining, underground, and environmental industries. The methods and assumptions used by these experts were to estimate hours associated with completing the below tasks using a current average salary and benefit rate, plus any associated contractor fees. Using these assumptions, they have determined the below actions would need to be taken and associated costs incurred:

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

SDSTA Estimate: SURF Site Closure Cost	
Project 1. Shutdown Dewatering System	\$ 18,535
Project 2. Secure Surface to UG Access Points	116,230
Project 3. Remove Underground Hazardous Materials	160,043
Project 4. Underground Inspection/Documentation	242,721
Project 5. Utility Reduction	8,238
Project 6. Secure Surface Area(s) and Building	68,535
Project 7. Secure Yates Shaft Entrance	110,446
Project 8. Secure Ross Shaft Entrance	110,446
Project 9. Secure Oro Hondo Shaft Entrance	75,446
Project 10. Secure 5 Shaft Entrance	130,892
Project 11. Remove Hoists from Service	29,421
Project 12. Remove Hazardous Material from Surface	58,685
Grand Total	\$ 1,129,638

Per our land donation agreement from Homestake Mining Company in 2006, we assumed all liability for closure, and were obligated to restrict \$1,000,000 for such an event; SDSTA complied with this agreement. Since then, interest has accrued and been restricted by SDSTA; current restricted and separately reported cash on hand for site abandonment is \$1,567,553.

For calculating useful life of this liability, we correlate to our relationship with LBNF/DUNE (Long Based Neutrino Facility/Deep Underground Neutrino Experiment). This relationship is expected to continue until 2045 per the Snowmass/P5 (Particle Physics Project Prioritization Panel), thus we deem a conservative useful life of 30 years.

(5) Xenon Purchases

Xenon purchased is valued at a cost per liter with additional freight, customs, and analysis charges. Total xenon purchased to date is \$8,934,350 as shown by the detail below.

<u>Fiscal Year</u>	<u># of Liters</u>	<u>Total Cost</u>	<u>Average Cost/Liter</u>
2014	20,000	\$332,855	\$16.64/liter
2016	200,000	1,273,808	6.37/liter
2017	600,295	3,433,693	5.72/liter
2018	260,000	1,473,544	5.67/liter
2019	300,000	1,650,450	5.50/liter
2020	140,000	770,000	5.50/liter
Total Purchased	1,520,295	\$8,934,350	\$ 5.88/liter

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(6) Retirement/Pension Plan

Plan Information:

All employees, working more than 20 hours per week during the year, participate in the South Dakota Retirement System (SDRS), a cost sharing, multiple employer defined benefit pension plan administered by SDRS to provide retirement benefits for employees of the State of South Dakota and its political subdivisions. The SDRS provides retirement, disability, and survivors' benefits. The right to receive retirement benefits vests after three years of credited service. Authority for establishing, administering, and amending plan provisions are found in SDCL 3-12. The SDRS issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained at <http://www.sdrs.sd.gov/publications/> or by writing to the SDRS, P.O. Box 1098, Pierre, SD 57501-1098 or by calling (605) 773-3731.

Benefits Provided:

SDRS has three different classes of employees, Class A general members, class B public safety and judicial members, and Class C Cement Plant Retirement Fund members.

Members that were hired before July 1, 2017 are Foundation members. Class A Foundation members and Class B Foundation members who retire after age 65 with three years of contributory service are entitled to an unreduced annual retirement benefit. An unreduced annual retirement benefit is also available after age 55 for Class A Foundation members where the sum of age and credited service is equal to or greater than 85 or after age 55 for Class B Foundation judicial members where the sum of age and credited service is equal to or greater than 80. Class B Foundation public safety members can retire with an unreduced annual retirement benefit after age 55 with three years of contributory service. An unreduced annual retirement benefit is also available after age 45 for Class B Foundation public safety members where the sum of age and credited service is equal to or greater than 75. All Foundation retirement benefits that do not meet the above criteria may be payable at a reduced level.

Members that were hired on/after July 1, 2017, are Generational members. Class A Generational members and Class B Generational judicial members who retire after age 67 with three years of contributory service are entitled to an unreduced annual retirement benefit. Class B Generational public safety members can retire with an unreduced annual retirement benefit after age 57 with three years of contributory service. At retirement, married Generational members may elect a single-life benefit, a 60 percent joint and survivor benefit, or a 100 percent joint and survivor benefit. All Generational retirement benefits that do not meet the above criteria may be payable at a reduced level. Generational members will also have a variable retirement account (VRA) established, in which they will receive up to 1.5 percent of compensation funded by part of the employer contribution. VRA's will receive investment earnings based on investment returns.

Legislation enacted in 2017 established the current COLA process. At each valuation date:

- Baseline actuarial accrued liabilities will be calculated assuming the COLA is equal to the long-term inflation assumption of 2.25%.
- If the fair value of assets is greater or equal to the baseline actuarial accrued liabilities, the COLA will be:
 - The increase in the 3rd quarter CPI-W, no less than 0.5% and no greater than 3.5%.
- If the fair value of assets is less than the baseline actuarial accrued liabilities, the COLA will be:
 - The increase in the 3rd quarter CPI-W, no less than 0.5% and no greater than a restricted maximum such that, that if the restricted maximum is assumed for future COLA's, the fair value of assets will be greater or equal to the accrued liabilities.

All benefits except those depending on the Member's Accumulated Contributions are annually increased by the Cost-of-Living Adjustment.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED) **JUNE 30, 2022**

(6) Retirement/Pension Plan (Continued)

Contributions:

Per SDCL3-12, contribution requirements of the active employees and the participating employers are established and may be amended by the SDRS Board. Covered employees are required by state statute to contribute the following percentages of their salary to the plan; Class A Members 6.0% of salary; Class B Judicial Members, 9.0% of salary; and Class B Public Safety Members, 8.0% of salary. State Statute also requires the employer to contribute an amount equal to the employee's contribution. The SDSTA's share of contributions to the SDRS for the fiscal years ended June 30, 2022, 2021, and 2020 was \$880,457, \$841,062, and \$746,095, respectively, equal to the required contributions each year.

Pension Liabilities (Assets), Pension Expense (Revenue), and Deferred Outflows of Resources and Deferred Inflows of Resources to Pensions:

As of June 30, 2022, SDRS is 105.52% funded and accordingly has a net pension asset. The proportionate share of the components of the net pension asset of the South Dakota Retirement System for the SDSTA as of the measurement period ending June 30, 2022 and reported by the SDSTA as of June 30, 2022 are as follows:

Proportionate share of pension liability	\$85,653,123
Less Proportionate share of net pension restricted for pension benefits	90,383,678

Proportionate share of net pension liability (asset)	<u><u>\$(4,730,555)</u></u>

At June 30, 2022, the SDSTA reported a liability (asset) of \$ (4,730,555) for its proportionate share of the net pension liability (asset). The net pension liability (asset) was measured as of June 30, 2022, and the total pension liability (asset) used to calculate the net pension asset was based on a projection of the SDSTA's share of contributions to the pension plan relative to the contributions of all participating entities. At June 30, 2022, the SDSTA's proportion was .61770400% which is an increase of 0.0511155% from its proportion measured as of June 30, 2021.

For the year ended June 30, 2022, the SDSTA recognized pension expense of \$1,275,629. At June 30, 2022, the SDSTA reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows Of Resources</u>	<u>Deferred Inflows Of Resources</u>
Difference between expected and actual experience.	\$ 169,839	\$ 12,402
Changes in assumption.	5,440,092	2,368,994
Net Difference between projected and actual earnings on pension plan investments.	-	6,757,693
Changes in proportion and difference between SDSTA contributions and proportionate share of contributions.	22,725	161,038
SDSTA contributions subsequent to the measurement date.	880,457	-
	-----	-----
TOTAL	<u><u>\$ 6,513,113</u></u>	<u><u>\$ 9,300,127</u></u>

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(6) Retirement/Pension Plan (Continued)

\$880,457 reported as deferred outflow of resources related to pensions resulting from the SDSTA's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending June 30, 2023. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense (revenue) as follows:

Year Ended June 30:

2023	\$ (938,461)
2024	(651,261)
2025	(176,764)
2026	(1,900,985)

TOTAL	<u><u>\$ (3,667,471)</u></u>

Actuarial Assumptions:

The total pension liability (asset) in the June 30, 2022 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.25 %
Salary Increases	6.50% at entry to 3.00% after 25 years of service
Discount Rate	6.50% net of plan investment expense. This is composed of an average inflation rate of 2.25% and real returns of 4.25%
Future COLAs	2.25%

Mortality rates were based on 97% of the RP-2014 Mortality Table, adjusted to 2006 projected generationally with Scale MP-2016, white collar rates for females and total dataset rates for males. Mortality rates for disabled members were based on the RP-2014 Disabled Retiree Mortality Table, adjusted to 2006 and projected generationally with Scale MP-2016.

The actuarial assumptions used in the June 30, 2022 valuation were based on the results of an actuarial experience study for the period of July 1, 2011 to June 30, 2016.

Investment portfolio management is the statutory responsibility of the South Dakota Investment Council (SDIC), which may utilize the services of external money managers for management of a portion of the portfolio. SDIC is governed by the Prudent Man Rule (i.e., the council should use the same degree of care as a prudent man). Current SDIC investment policies dictate limits on the percentage of assets invested in various types of vehicles (equities, fixed income securities, real estate, cash, private equity, etc.). The long-term expected rate of return on pension plan investments was determined using a method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of real rates of return for each major asset class included in the pension plan's target asset allocation as of June 30, 2022 (see the discussion of the pension plan's investment policy) are summarized in the following table using geometric means:

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED) JUNE 30, 2022

(6) Retirement/Pension Plan (Concluded)

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>
Global Equity	58.0%	4.3%
Fixed Income	30.0%	1.6%
Real Estate	10.0%	4.6%
Cash	2.0%	0.9%

Total	100%	
	=====	

Discount Rate:

The discount rate used to measure the total pension liability (asset) was 6.50%. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that matching employer contributions will be made at rates equal to the member rate. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability (asset).

Sensitivity of (liability) to changes in the discount rate:

The following presents the SDSTA's proportionate share of the net pension liability (asset) calculated using the discount rate of 6.50% as well as what the SDSTA's proportionate share of the net pension liability (asset) would be if it were calculated using a discount rate that is 1-percentage point lower (5.50%) or 1-percentage point higher (7.50%) than the current rate:

	<u>1% Decrease</u>	<u>Current Discount Rate</u>	<u>1% Increase</u>
SDSTA's proportionate share of the net pension liability (asset)	\$7,659,946	\$ (4,730,555)	\$(14,788,759)

Pension Plan Fiduciary Net Position:

Detailed information about the plan's fiduciary net position is available in the separately issued SDRS financial report.

(7) Risk Management

The SDSTA is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. There were no insurance claims exceeding insurance coverage during the past three years. During the period ended June 30, 2022, the SDSTA managed its risks as follows:

Building Structure Charges:

The buildings and permanent structures owned by the SDSTA are not covered by commercial insurance. However, the recently erected MSF and the SLHVC is covered by commercial insurance.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED) **JUNE 30, 2022**

(7) Risk Management (Continued)

Personal Property Insurance:

The SDSTA purchases insurance for the contents of the administration building from a commercial insurance carrier. However, the contents of the SDSTA's other buildings are not insured.

Employee Health Insurance:

The SDSTA purchases health insurance for its employees from a commercial insurance carrier. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

Liability Insurance:

The SDSTA purchases liability insurance for risks related to torts, theft or damage of property, errors and omissions of public officials, employee practices liability coverage, employee dishonesty, cybersecurity, and professional engineers' coverage through its participation in the South Dakota Authority Captive Insurance Company, a component unit of the State of South Dakota. Additional liability coverage including auto liability coverage and environmental liability is purchased from commercial insurance carriers. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

Worker's Compensation:

For the policy renewal date of January 1, 2022 through January 1, 2023, the SDSTA continued to purchase workmen's compensation through a commercial insurance carrier. Settled claims resulting from these risks have not exceeded the liability coverage during the past three years.

Unemployment Benefits:

The SDSTA provides coverage for unemployment benefits by paying into the Unemployment Compensation Fund established by state law and managed by the State of South Dakota.

(8) Significant Commitments, Contracts, and Subsequent Events

On December 23, 2009, the SDSTA received \$20,000,000 designated as Sanford Gift No.2. Gift No.2 was originally established for the construction of the Sanford Center for Science Education. Two amendments to the Homestake Gift Agreement were signed in June 2010 and October 2011, respectively, whereby it was agreed to use \$15 million of this \$20 million for infrastructure and safety upgrades at the Underground Davis Campus and for replacing steel and other rehabilitation of the Ross Shaft. In early August 2012, the SDSTA signed a third amendment to the Gift Agreement and received the remaining \$15 million of Gift No.2 called for by Section 2 of the Gift Agreement. The Gift No.2 balance of \$20 million was to be held in a restricted fund whereby the principal was not to be expended until a written approval of a business and operational plan for the Sanford Center for Science Education was received from Mr. Sanford. Furthermore, the third amendment allowed the SDSTA to utilize and expend interest and other earnings on Gift No.2 restricted funds. In May, 2013, the SDSTA signed a fourth amendment to the Gift Agreement whereby it was agreed to expend up to \$7,000,000 of Gift No.2 for the construction or remodeling of the Yates Dry Building (located at SURF), the remodeling or replacement of the Lead Homestake Visitor's Center and the remodeling of Jonas Hall (located on the campus of Black Hills State University in Spearfish, SD). This authorization was conditioned on the SDSTA raising \$1.5 million from other sources for the Black Hills State University project and \$1 million for the SURF Homestake Visitor's Center (SLHVC) in Lead. The SDSTA secured a \$2 million Future Fund grant from the State of South Dakota in October 2013 and an additional \$500,000 was received in July 2014 from Great Plains Education Foundation that satisfied this monetary obligation. Both outside facilities agreed in writing to incorporate and use the name "Sanford" in the naming of the facilities. Operating agreements are in place which reasonably provide for the ongoing operations of the respective facilities by the Homestake Visitor Center, Inc. and Black Hills State University. Given the construction budget of

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(8) Significant Commitments, Contracts, and Subsequent Events (Continued)

the SLHVC and the Jonas Science Building renovation costs, it was not possible to undertake the upgrades to the Yates Dry. These details were reported in the Fifth Amendment to the Homestake Gift Agreement in February 2015. Furthermore, any part of Gift No.2 not used for the three construction projects may be used for the construction and operation of additional underground laboratory space at SURF to accommodate other experiments, and for related infrastructure to access or support the new laboratory space through the shafts. After the above projects were finished approximately \$1,000,000 remained. On June 23, 2016 the sixth amendment was signed allowing the SDSTA to use the remaining funds to purchase real estate known as “Ellison Hill” and to conduct needed environmental assessments and remediation of the property. This will provide needed storage and construction material laydown space for the LBNF and DUNE projects. The “Ellison Hill” property was purchased in May 2017.

The cost of this remediation was shared equally by the SDSTA and Homestake Mining Company per the purchase agreement.

With additional change orders, the contract amount was decreased to \$302,319. Remediation of the property was completed in November 2017. At fiscal yearend 2022, a balance of \$127 remained as Gift No. 2 funds. This will be transferred to the SDSTA’s operating account.

The SDSTA’s long-term cooperative agreement with Homestake Mining Company of California continues. The SDSTA agrees to combine Homestake’s wastewater from Grizzly Gulch with the mine wastewater, as well as treat, and discharge the water. For the first year of this agreement, Homestake agreed to pay the SDSTA an amount ranging from \$.58 to \$.84 per 1000 gallons based on average total gallons treated per minute per month. Revenue from this agreement for the past two years was \$205,127 and \$257,854, respectively. Revenue was lower this last year due to the number of gallons treated being lower. The terms of the agreement were amended in September 2020 adjusting the price per 1000 gallons to \$.75 and extending this price and the contract to September 30, 2030. Estimated revenues for the upcoming year are at \$225,000.

A lease between the SDSTA and DOE for land (above ground) and space (underground) for the LBNF was signed on March 29, 2016. The term of the lease goes through April 30, 2036 but shall remain in force thereafter from year to year without further notice but shall in no event extend beyond a total of 65 years. Additional amendments to this lease executed in June 2017 and May 2018 (Amendment #1 and Amendment #2) added additional space in the Ross Dry Facility in support of the Long Baseline Neutrino Facility. An easement was signed with Homestake Mining Company for the construction and maintenance of conveyor facilities for the transportation of excavated rock to the Open Cut (open mine pit) owned by Homestake. The LBNF will include a large experimental facility underground at the 4850’L. Waste rock excavated from that level will be deposited into the Open Cut. An additional easement was negotiated with the City of Lead across their property to construct, maintain, and operate this overhead conveyance system. The conveyance system has been constructed and waste rock is being transported into the Open Cut starting June 2021.

Homestake Mining Company agreed with the signing of the Third Amendment to the Property Donation Agreement in August 2015 to release \$2,500,000 from the Indemnification Fund for the SDSTA to fund the captive insurance company. The original appropriation for the indemnification fund found at 2004 SD Session Laws, Chapter 14, Section 1 was revised by the State Legislature per Legislative Session 2015 HB 1186, to allow the use of up to \$2,500,000 to provide initial capital and pay expenses for the SDSTA’s purposes in the captive insurance company.

Letter Agreement #1586 was signed in August 2015 between the GOED and the SDSTA whereby the State is granting up to \$6,000,000 between July 14, 2015 and September 30, 2018. The State has chosen to engage in a partnership with the SDSTA, the South Dakota Community Foundation, the South Dakota State University Foundation, and the University of South Dakota Foundation to assist with the costs of infrastructure/laboratory upgrades, procurement of xenon for the LUX-ZEPLIN (LZ) dark matter experiment, and interest payments to these foundations. The full \$6,000,000 has been received from the State as well as \$2,000,000 each from the South Dakota Community Foundation, the University of South Dakota Foundation, and the South Dakota State University Foundation. Loan agreements are in place between the SDSTA and the three foundations for a total of \$6,000,000

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2022

(8) Significant Commitments, Contracts, and Subsequent Events (Continued)

to be used for the purchase of xenon for the future LZ experiment. The loans extend to the last quarter of 2026. They are unsecured nonrecourse loans with 2.5% simple interest to be paid quarterly to each lender. The loans will be repaid at the end of the LZ experiment (approximately October 2026) from the sale proceeds of the xenon previously purchased. A total of 1,520,295 liters of xenon have been purchased for experiment use. The processed xenon has all been received at SURF and is being used in the LZ experiment.

Letter Agreement #1640 was signed in October 2019 between the GOED and the SDSTA. The SDSTA received \$4,000,000 to design, build, and maintain a new Maintenance Support Facility (MSF). The legacy facilities were dated and needed to be replaced. Therefore, the State of South Dakota provided funding to assist in the construction of a new MSF. This is appropriate to accomplish the SDSTA's present and future requirements. Additionally, GOED Letter Agreement #1659 was signed in June 2019 for an additional \$2,500,000 to assist in the construction and outfitting of the new facility. This was necessary to ensure that it will be completed on schedule. An additional amendment to Letter Agreement #1659 was signed in June 2020 to extend the period of performance to June 30, 2021. This was necessary due to a work stoppage during March and April 2020 due to concerns related to the COVID-19 pandemic. The building construction was completed in June 2021.

However, approximately \$127,000 had not been spent as of yearend due to delays in shipments of various outfitting equipment. An additional amendment was signed in June 2021 to extend the period of performance to September 30, 2021. All funds have been spent on the final outfitting of the new building.

In November 2022, the South Dakota Science and Technology Authority negotiated the sale of 45,274 Liters of Xenon for \$2,878,810. Current Book value at 6/30/2022 of the Xenon sold is \$266,211.12 (See Note 5). Proceeds from this sale will be used to satisfy part of the long-term debt on loan agreements with the three foundations. (See Note 4). The remaining balance of the notes payable will be renegotiated and extend the due date of these notes by two years.

On October 31, 2019 the SDSTA signed a Promissory Note with the First Interstate Bank for \$5,000,000. This agreement represents a variable rate revolving line of credit. Collateral for this line of credit includes the SDSTA's Account Receivable. The SDSTA has not drawn down any funding from this line of credit. The maturity date is October 31, 2022 at which time we will renew for another one-year term.

(9) Significant Contingencies - Litigation

At June 30, 2022 the SDSTA was involved in no lawsuits.

(10) Construction Work in Process

The SDSTA accumulates the costs of construction projects in Construction Work in Progress until the projects are completed and/or placed in service. Some of the ongoing improvement projects are capitalized as they progress. As of June 30, 2022 construction work in progress was at \$4,118,733 for IIP projects.

(11) Continuing Operations

On September 30, 2019, the SDSTA transitioned to a five-year Cooperative Agreement totaling \$119,200,000 with the DOE's Office of Science – Integrated Support Center. This will fund the SDSTA's operations for SURF. The federal fiscal year 2023 budget totals \$25,125,065. Additionally, SDSTA has been awarded \$15,391,601 in Infrastructure Improvement Projects (IIPs) with \$12,702,366 spent through FY2022; \$2,689,235 budgeted in FY2023. We have proposed for fiscal year 2023 and 2024 approximately \$25M of additional IIPs that will be awarded separately, if approved. LBNF/DUNE Logistics Support Services continues with FNAL through March 31, 2024. Additionally, SDSTA support for the LZ experiment operations efforts and the SIGMA-V project have both been extended to September 2022.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED) **JUNE 30, 2022**

(12) Related Party Transactions

The SDSTA has a consulting contract with Dialogue, LLC, which is a company owned and operated by the SDSTA Executive Director's spouse. The consultant reports to the Chairman of the Board of Directors under this agreement and not the Executive Director. All contract and invoice payments to Dialogue LLC, were signed and approved by the SDSTA's Chairman of the Board of Directors. Payments totaled \$11,875 in FY2022. Additionally, Mr. Ron Wheeler was appointed to the Board of Directors by the Governor effective July 1, 2013, and is a current member of the Board of Directors. As of July 1, 2013, Ron Wheeler transitioned from the Executive Director role to the position of Director of Governmental & External Affairs for the SDSTA. Mr. Wheeler was a full-time employee of the SDSTA until January 3, 2014, at which time he retired from full-time employment. Effective January 3, 2014, the SDSTA signed a contract with Mr. Wheeler as a consultant for the SDSTA. The contract, including amendments, is for \$539,000, extended to January 15, 2022, and is now complete, with \$24,000 paid in FY2022.

(13) Adjustment to Prior Period Net Position

Through the process of our FY22 financial statement reporting, it was found that \$2,300,282 of Construction in Progress (CIP) in FY21 was not recorded in the financial statements as an asset but left in expenditures. We have restated beginning net position to reflect this exclusion. Of this amount, \$2,209,018 has moved from CIP to depreciable assets in FY22, and \$91,263 was left in FY22 CIP.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

NOTES TO FINANCIAL STATEMENTS (CONTINUED)
JUNE 30, 2022

(14) Blended Component Unit Condensed Financial Information

SANFORD UNDERGROUND RESEARCH FACILITY FOUNDATION
CONDENSED STATEMENT OF NET POSITION
JUNE 30, 2022

ASSETS

Current Assets

Cash in Local Bank	\$	423,446
Accounts Receivable		-
Contributions Receivable		45,000
Total Current Assets		468,446

TOTAL ASSETS	468,446
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NET POSITION

Restricted for:

Davis-Bachall	45,000
Garden	403,326
Interns	17,757
Public Outreach	1,000
Visitor Center	925
Unrestricted Net Position	438

TOTAL NET POSITION	\$ 468,446
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CONDENSED STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION
JUNE 30, 2022

Restricted Revenue

Garden	\$	156,272
Interns		18,318
Public Outreach		21,250
STEM Education		27,250
Visitor Center		3,296
Miscellaneous and Unrestricted Revenue		41,680
Total Revenue		268,066

Expenses

Miscellaneous Expenses	\$	26,385
Payments to Primary Government		158,095
Total Expenses		184,480

Change in Net Position	83,586
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Net Position -- Beginning of Year	384,860
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Net Position -- End of Year	\$ 468,446
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CONDENSED STATEMENT OF CASH FLOWS
JUNE 30, 2022

Cash Provided from Operating Activities		
Cash Received from Donations	\$	286,681
Cash Payments for Operating Activities		158,095
Net Increase in Cash and Cash Equivalents		128,586
Cash and Cash Equivalents at Beginning of Year		294,860
Cash and Cash Equivalents at End of Year	\$	423,446

REQUIRED SUPPLEMENTARY INFORMATION OTHER THAN MD&A

SCHEDULE OF PROPORTIONATE SHARE OF THE NET PENSION LIABILITY (ASSET)

South Dakota Retirement System

Last 10 Fiscal Years *

	2022	2021	2020	2019	2018	2017	2016	2015
SDSTA's proportion of the net pension liability (asset)	0.6177040%	0.5665885%	0.4949484%	0.4444633%	0.4881662%	0.5027360%	0.5089089%	0.5287996%
SDSTA's proportionate share of net pension liability (asset)	\$ (4,730,555)	\$ (24,607)	\$ (52,451)	\$ (10,366)	\$ (44,302)	\$ 1,698,193	\$ (2,158,428)	\$ (3,809,788)
SDSTA's covered employer payroll	\$ 13,727,913	\$ 12,193,592	\$ 10,237,119	\$ 8,995,993	\$ 9,596,007	\$ 9,256,007	\$ 9,042,866	\$ 8,888,749
SDSTA's proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll	34.46%	0.20%	0.51%	0.12%	0.46%	18.35%	23.87%	42.86%
Plan fiduciary net position as a percentage of the total pension liability (asset)	105.52%	100.04%	100.09%	100.02%	100.10%	96.89%	104.10%	107.30%

* The amounts presented for each fiscal year were determined as of the measurement date of the collective net pension liability (asset) which is 6/30 of previous fiscal year. Until a full 10-year trend is compiled, the SDSTA will present information for those years for which information is available.

SCHEDULE OF THE AUTHORITY CONTRIBUTIONS

South Dakota Retirement System

Last 10 Fiscal Years

	2022	2021	2020	2019	2018	2017	2016	2015
Contractually required contribution	\$ 880,457	\$ 841,062	\$ 746,095	\$ 631,417	\$ 554,398	\$ 595,112	\$ 573,626	\$ 557,420
Contributions in relation to the contractually required contribution	\$ 880,457	\$ 841,062	\$ 746,095	\$ 631,417	\$ 554,398	\$ 595,112	\$ 573,626	\$ 557,420
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SDSTA's covered-employee payroll	\$ 14,431,476	\$ 13,727,913	\$ 12,193,592	\$ 10,237,119	\$ 8,995,993	\$ 9,596,007	\$ 9,256,007	\$ 9,042,866
Contributions as a percentage of covered-employee payroll	6.10%	6.13%	6.12%	6.17%	6.16%	6.20%	6.20%	6.16%

* Until a full 10-year trend is compiled, the SDSTA will present information for those years for which information is available.

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY
NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION
Schedule of the Proportionate Share of the Net Pension Liability (Asset) and
Schedule of the SDSTA Contributions.

Changes from Prior Valuation:

The June 30, 2021 Actuarial Valuation reflects no changes in actuarial methods from the June 30, 2020 Actuarial Valuation. One change in actuarial assumptions and two plan provision changes are reflected and described below.

The details of the changes since the last valuation are as follows:

Benefit Provision Changes:

Legislation enacted in 2021 reduced the minimum SDRS COLA from 0.5% to 0%. This change will impact the SDRS COLA only when inflation is very low or when the restricted maximum COLA of 0.5% is not affordable. The change had no impact on the current assets or liabilities of SDRS.

Actuarial Assumption Changes:

The SDRS COLA equals the percentage increase in the most recent third calendar quarter CPI-W over the prior year, no less than 0% (0.5% prior to 2021) and no greater than 3.5%. However, if the FVFR assuming the long-term COLA is equal to the baseline COLA assumption (currently 2.25%) is less than 100%, the maximum COLA payable will be limited to the increase that if assumed on a long-term basis, results in a FVFR equal to or exceeding 100%. That condition existed as of June 30, 2020, and the July 2021 SDRS COLA was limited to a restricted maximum of 1.41%. As of June 30, 2021, the FVFR assuming the COLA is equal to the baseline COLA assumption is greater than 100%. The July 2022 SDRS COLA will equal inflation, between 0% and 3.5%. For the June 30, 2020, Actual Valuation, future COLAs were assumed to equal the restricted maximum COLA of 1.41%. For this June 30, 2021, Actual valuation, Future COLAs are assumed to equal the baseline COLA assumption of 2.25%

The changes in COLA assumption increased the Actuarial Accrued Liability by \$1,135 million, or 8.9% of the Actuarial Accrued Liability based on the 1.41% restricted maximum COLA.

Actuarial assumptions are reviewed in depth periodically, with the next experience analysis anticipated before the June 30, 2022 Actuarial Valuation and any recommended changes approved by the Board of Trustees are anticipated to be first implemented in the June 30, 2022 Actuarial Valuation.

Actuarial Method Changes:

No changes in actuarial methods were made since the prior valuation.

SUPPLEMENTARY INFORMATION

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

SCHEDULE OF OPERATING EXPENSES FOR THE YEAR ENDED JUNE 30, 2022

Personnel Services		
Employee Salaries	\$	12,902,079
Employee Benefits		5,992,764
Total Personal Services		18,894,843
Travel		
Meals and Lodging		74,448
Auto and Fleet Services		58,468
Air - Commercial and Charter		18,523
Incidentals to Travel		3,181
Non-Employee Travel		1,901
Meals (Not Overnight)		-
Total Travel		156,521
Contractual Services		
Equipment Rental		105,963
Contractual - Other		3,636,156
Insurance		1,217,349
Lobbying		215,000
Computer Services		20,059
Telecommunications		77,563
Monitoring and Programming		23,840
Legal Consultant		90,843
Training		81,394
Consultant Fees - Accounting and Auditing		17,505
Promotion and Advancement		25,928
Dues and Memberships		30,034
Utilities		2,420,338
Maintenance and Repairs		201,079
Total Contractual Services		8,163,051
Supplies, Materials and Other Operating Expenses		
Maintenance and Repairs		2,586,871
Other Supplies and Equipment		647,432
Other Expenses		127,841
Office Supplies and Equipment		29,632
Licenses and Permits		54,089
Workshop and Registration Fees		11,251
Postage		7,938
Bank Charges		2,168
Total Supplies, Materials and Other Operating Expenses		3,467,222
Depreciation Expense		2,650,038
Total Operating Expenses	\$	33,331,675

SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

**SUPPLEMENTAL SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
FOR THE YEAR ENDED JUNE 30, 2022**

	Pass-Through Numbers	CFDA Numbers	Amount
<i>U.S. Department of Energy</i> Pass-Through the Regents of the University of California LUX/Zeplin (LZ) Experiment Operations - Engineer/Research Supp.	7525117	81.UNKNOWN	\$ 783,925
<i>U.S. Department of Energy</i> Pass-Through the Regents of the University of California LBNL SIGMA-V Project	7371823	81.UNKNOWN	\$ 323,559
<i>U.S. Department of Energy</i> Pass-Through Oak Ridge National Laboratory Experiment Support for Majorana Demonstrator	4000193681	81.UNKNOWN	\$ 15,981
<i>U.S. Department of Energy</i> Pass-Through Oak Ridge National Laboratory Experiment Support for Majorana Demonstrator	4000185715	81.UNKNOWN	\$ 8,663
<i>U.S. Department of Energy</i> Pass-Through Fermi National Accelerator Laboratory SURF (Sanford Underground Research Facility) Operations Support	685922	81.UNKNOWN	\$ 8,088
<i>U.S. Department of Energy</i> Pass-Through Fermi National Accelerator Laboratory SURF (Sanford Underground Research Facility) Ross Shaft Rehab	630223	81.UNKNOWN	\$ 231
<i>U.S. Department of Energy</i> Pass-Through the Regents of the University of California LUX/Zeplin (LZ) Experiment Operations - Engineer/Research Supp.	7650068	81.UNKNOWN	\$ 43,660
<i>U.S. Department of Energy</i> Pass-Through Fermi National Accelerator Laboratory SURF(Sanford Underground Research Facility)LBNF/DUNE Support	674969	81.UNKNOWN	\$ 4,451,775
<i>U.S. Department of Energy</i> Pass-Through Fermi National Accelerator Laboratory SURF (Sanford Underground Research Facility)Ross H.Bearing Rec.	658208	81.UNKNOWN	\$ 6,224
<i>U.S. Department of Energy</i> Pass-Through Fermi National Accelerator Laboratory SURF(Sanford Underground Research Facility)LBNF Prof.Staff Serv.	671265	81.UNKNOWN	\$ 90,171
<i>U.S. Department of Energy</i> Pass-Through RESPEC Thermal Breakout Project	03506A	81.UNKNOWN	\$ 18,194
<i>U.S. Department of Energy</i> Office of Science - Chicago Office of Acquisition/Assistance	DE-SC0020216	81.049	\$ 32,448,003
Total			\$ 38,198,474

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Financial Report—Mr. Mike Headley

Financial Report update by SDSTA CFO Terry Miller:

8A. Financial summaries, Mr. Terry Miller—attached. (*See suggested motion below.*)

8B. Approval of FY2024 budget, Mr. Terry Miller—attached. (*See suggested motion below.*)

Recommended Action:

8A. *Motion to accept financial report as presented.*

8B. *Motion to approve FY2043 budget as presented.*

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DIVISION: ALL

BALANCE SHEET

ASSETS

AS OF
04/30/23

CURRENT ASSETS

First Interstate Checking	\$	3,633,324.54

Total in Local Checking		3,633,324.54
SD Treas: Indemnification		7,500,000.00
SD Treas: Mine Closure		1,533,566.14
SD Treas: Operating		1,386,598.52
SD Treas: SB35 Appropriation		13,000,000.00
SD Treas: Experiments		613,780.19

Total with SD Treasurer		24,033,944.85
Billed A/R		1,447,617.94
Unbilled A/R		1,004,743.93
Other A/R		388,979.99
Inventory - Supplies		3,150,678.11
Inventory - Warehouse		439,444.50
Other Current Assets		1,511,672.16

Total Current Assets		35,610,406.02

FIXED ASSETS

Land, Underground & Other		12,743,473.13
Bldgs & Infrastructure		19,321,800.42
Improvements		62,813,135.62
Work in Progress		4,026,307.26
Computer Equipment		381,499.81
Equipment & Fixtures		10,705,072.13
DOE Property Transfer		8,692,069.01
Accum Depr & Amort		(23,298,236.86)
DOE Prop. Accum Deprec.		(839,756.75)

Total Fixed Assets		94,545,363.77

OTHER ASSETS

Asset Retirement Obligation Deferred Outflows		1,129,637.92
Pension Deferred Outflows		11,243,668.96
Xenon Purchased		8,687,833.46

Total Other Assets		21,061,140.34

TOTAL ASSETS

=====

\$ 151,216,910.13

=====

DIVISION: ALL

BALANCE SHEET

LIABILITIES & EQUITY

		AS OF 04/30/23

CURRENT LIABILITIES		
Accounts Payable	\$	926,362.37
Other Payables		810.56

Total Accounts Payable		927,172.93
Accrued Payroll Liab		2,388,253.37

Total Current Liabilities		3,315,426.30
OTHER LIABILITIES		
LT Xenon Notes Payable		3,121,190.01
Pension Deferred Inflows		9,300,127.02
Asset Retirement Obligation		1,129,637.92

Total Other Liabilities		13,550,954.95
EQUITY		
Restricted: Indemnificati		7,500,000.00
Restricted: SB35 Appropriation		13,000,000.00
Restricted: Mine Closure		1,533,566.14
Restricted: Pension		1,943,541.94
Restricted: Experim. Int.		613,780.19
Restricted: Foundation		-

Total Restricted Funds		24,590,888.27
Investment in Gen FA		94,545,363.77
Unrestricted Funds		15,214,276.84

Total Equity		134,350,528.88
		=====
TOTAL LIABILITIES & EQUITY	\$	151,216,910.13
		=====

ALL

STATEMENT OF INCOME

FOR THE PERIOD ENDING 4/30/2023

YR-TO-DATE

REVENUE

DOE Subcontracts	\$ 29,678,848.89
State Revenue	13,000,000.00
Checking Interest	9,100.13
Interest Income	103,164.21

TOTAL REVENUE

42,791,113.23

DIRECT COSTS

Direct Labor	7,683,910.64
Board of Directors	37,035.74
Capital Outlay >\$5K	2,790,513.95
Contractual Svcs	2,305,119.56
Inventory	278,012.87
Supplies	1,565,314.77
Travel - Domestic	69,827.06
Travel - Foreign	7,726.44
Utilities	2,071,059.18
Other Direct Costs	198,081.36
Unallow/Unbill Costs	421,332.01

TOTAL DIRECT COSTS

17,427,933.58

INDIRECT COSTS

Fringe Benefits	6,199,067.40
Overhead	9,221,555.04

TOTAL INDIRECT COSTS

15,420,622.44

GROSS PROFIT/LOSS ()FROM OPERATIONS

9,942,557.21

OTHER INCOME

Water Treatment	100,304.86
Miscellaneous Income	62,796.77
Other Operating Income	75,333.57

TOTAL OTHER INCOME

238,435.20

OTHER EXPENSES

Misc. Expenses & Donations	(2,480,985.74)
Loss (Gain) on Sale of FA	(2,534,142.46)
Other Unallowable Expense	328,364.75
Reclass Incr Net Assets	145,438.46

TOTAL OTHER EXPENSES

(4,541,324.99)

NET INCOME/LOSS ()

=====

\$ 14,722,317.40

=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

ASSETS

	AS OF 04/30/23	AS OF 04/30/22	\$ CHANGE	% CHANGE
CURRENT ASSETS				
First Interstate Checking	\$ 3,633,324.54	\$ 5,639,142.29	\$ (2,005,817.75)	-35.57%
First Interstate Other	-	-	-	0.00%
	-----	-----	-----	-----
Total in Local Checking	3,633,324.54	5,639,142.29	(2,005,817.75)	-35.57%
SD Treas: Indemnification	7,500,000.00	7,500,000.00	-	0.00%
SD Treas: Mine Closure	1,533,566.14	1,520,425.48	13,140.66	0.86%
SD Treas: Operating	1,386,598.52	1,304,075.96	82,522.56	6.33%
SD Treas: SB35 Appropriation	13,000,000.00	-	13,000,000.00	100.00%
SD Treas: Experiments	613,780.19	756,479.22	(142,699.03)	-18.86%
	-----	-----	-----	-----
Total with SD Treasurer	24,033,944.85	11,080,980.66	12,952,964.19	116.89%
Billed A/R	1,447,617.94	2,110,973.52	(663,355.58)	-31.42%
Unbilled A/R	1,004,743.93	822,616.17	182,127.76	22.14%
Other A/R	388,979.99	307,502.47	81,477.52	26.50%
Inventory - Supplies	3,150,678.11	3,250,470.21	(99,792.10)	-3.07%
Inventory - Warehouse	439,444.50	313,030.56	126,413.94	40.38%
Other Current Assets	1,511,672.16	1,195,697.88	315,974.28	26.43%
	-----	-----	-----	-----
Total Current Assets	35,610,406.02	24,720,413.76	10,889,992.26	44.05%
FIXED ASSETS				
Land, Underground & Other	12,743,473.13	12,743,473.13	-	0.00%
Bldgs & Infrastructure	19,321,800.42	19,386,433.19	(64,632.77)	-0.33%
Improvements	62,813,135.62	62,813,135.62	-	0.00%
Work In Progress	4,026,307.26	-	4,026,307.26	100.00%
Computer Equipment	381,499.81	354,677.81	26,822.00	7.56%
Equipment & Fixtures	10,705,072.13	11,144,536.79	(439,464.66)	-3.94%
DOE Property Transfer	8,692,069.01	4,675,195.41	4,016,873.60	85.92%
Accum Depr & Amort	(23,298,236.86)	(21,594,014.72)	(1,704,222.14)	7.89%
DOE Prop. Accum Deprec.	(839,756.75)	(446,670.05)	(393,086.70)	88.00%
	-----	-----	-----	-----
Total Fixed Assets	94,545,363.77	89,076,767.18	5,468,596.59	6.14%
OTHER ASSETS				
Asset Retirement Obligation Deferred Outflows	1,129,637.92	-	1,129,637.92	100.00%
Pension Deferred Outflows	11,243,668.96	4,135,812.00	7,107,856.96	171.86%
Xenon Purchased	8,687,833.46	8,934,350.39	(246,516.93)	-2.76%
	-----	-----	-----	-----
Total Other Assets	21,061,140.34	13,070,162.39	7,990,977.95	61.14%
	=====	=====	=====	=====
TOTAL ASSETS	\$ 151,216,910.13	\$ 126,867,343.33	\$ 24,349,566.80	19.19%
	=====	=====	=====	=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

LIABILITIES & EQUITY

	AS OF 04/30/23	AS OF 04/30/22	\$ CHANGE	% CHANGE
CURRENT LIABILITIES				
Accounts Payable	\$ 926,362.37	\$ 1,589,368.50	(663,006.13)	-41.72%
Other Payables	810.56	49,775.81	(48,965.25)	-98.37%
	-----	-----	-----	-----
Total Accounts Payable	927,172.93	1,639,144.31	(711,971.38)	-43.44%
Accrued Payroll Liab	2,388,253.37	2,372,975.42	15,277.95	0.64%
	-----	-----	-----	-----
Total Current Liabilities	3,315,426.30	4,012,119.73	(696,693.43)	-17.36%
OTHER LIABILITIES				
LT Xenon Notes	3,121,190.01	6,000,000.00	(2,878,809.99)	-47.98%
Pension Deferred Inflows	9,300,127.02	3,467,898.62	5,832,228.40	168.18%
Asset Retirement Obligation	1,129,637.92	-	1,129,637.92	100.00%
	-----	-----	-----	-----
Total Other Liabilities	13,550,954.95	9,467,898.62	4,083,056.33	43.13%
	-----	-----	-----	-----
TOTAL LIABILITIES	16,866,381.25	13,480,018.35	3,386,362.90	25.12%
EQUITY				
Restricted: Indemnificati	7,500,000.00	7,500,000.00	-	0.00%
Restricted: SB35 Appropriation	13,000,000.00	-	13,000,000.00	100.00%
Restricted: Mine Closure	1,533,566.14	1,520,425.48	13,140.66	0.86%
Restricted: Pension	1,943,541.94	667,913.38	1,275,628.56	190.99%
Restricted: Experim. Int.	613,780.19	756,479.22	(142,699.03)	-18.86%
Restricted: Foundation	-	-	-	0.00%
	-----	-----	-----	-----
Total Restricted Funds	24,590,888.27	10,444,818.08	14,146,070.19	135.44%
Investment in Gen FA	94,545,363.77	89,076,767.18	5,468,596.59	6.14%
Unrestricted Funds	15,214,276.84	13,865,739.72	1,348,537.12	9.73%
	-----	-----	-----	-----
TOTAL EQUITY	134,350,528.88	113,387,324.98	20,963,203.90	18.49%
	=====	=====	=====	=====
TOTAL LIABILITIES & EQUITY	\$ 151,216,910.13	\$ 126,867,343.33	\$ 24,349,566.80	19.19%
	=====	=====	=====	=====

COMPARATIVE STATEMENT OF INCOME

FOR THE PERIOD ENDING 4/30/23

	YEAR TO DATE	PRIOR YEAR TO DATE	\$ CHANGE	% CHANGE
REVENUE				
DOE Subcontracts	\$ 29,678,848.89	\$ 32,215,958.53	\$ (2,537,109.64)	-7.88%
State Revenue	13,000,000.00	-	13,000,000.00	100.00%
Checking Interest	9,100.13	1,726.60	7,373.53	427.05%
Interest Income	103,164.21	92,948.15	10,216.06	10.99%
TOTAL REVENUE	42,791,113.23	32,310,633.28	10,480,479.95	32.44%
DIRECT COSTS				
Direct Labor	7,683,910.64	7,606,035.75	77,874.89	1.02%
Board of Directors	37,035.74	6,698.80	30,336.94	452.87%
Capital Outlay >\$5K	2,790,513.95	3,581,639.47	(791,125.52)	-22.09%
Contractual Svcs	2,305,119.56	3,771,276.11	(1,466,156.55)	-38.88%
Inventory	278,012.87	236,954.38	41,058.49	17.33%
Supplies	1,565,314.77	1,838,859.91	(273,545.14)	-14.88%
Travel - Domestic	69,827.06	40,078.28	29,748.78	74.23%
Travel - Foreign	7,726.44	-	7,726.44	100.00%
Utilities	2,071,059.18	2,030,840.00	40,219.18	1.98%
Other Direct Costs	198,081.36	164,951.58	33,129.78	20.08%
Unallow/Unbill Costs	421,332.01	214,124.74	207,207.27	96.77%
TOTAL DIRECT COSTS	17,427,933.58	19,491,459.02	(2,063,525.44)	-10.59%
INDIRECT COSTS				
Fringe Benefits	6,199,067.40	5,940,825.72	258,241.68	4.35%
Overhead	9,221,555.04	8,186,542.18	1,035,012.86	12.64%
TOTAL INDIRECT COSTS	15,420,622.44	14,127,367.90	1,293,254.54	9.15%
GROSS PROFIT/LOSS ()	9,942,557.21	(1,308,193.64)	11,250,750.85	517.81%
OTHER INCOME				
Water Treatment	100,304.86	184,899.76	(84,594.90)	-45.75%
Miscellaneous Income	62,796.77	126,674.85	(63,878.08)	-50.43%
Other Operating Income	75,333.57	190,395.72	(115,062.15)	-60.43%
TOTAL OTHER INCOME	238,435.20	501,970.33	(263,535.13)	-52.50%
OTHER EXPENSES				
Misc. Expenses & Donations	(2,480,985.74)	(7,008,848.20)	4,527,862.46	-64.60%
Loss (Gain) on Sale of FA	(2,534,142.46)	(3,600.29)	(2,530,542.17)	70287.18%
Other Unallowable Expense	328,364.75	270,548.05	57,816.70	21.37%
Reclass Incr Net Assets	145,438.46	4,849,582.96	(4,704,144.50)	-97.00%
TOTAL OTHER EXPENSES	(4,541,324.99)	(1,892,317.48)	(2,649,007.51)	139.99%
NET INCOME/LOSS ()	\$ 14,722,317.40	\$ 1,086,094.17	\$ 13,636,223.23	1255.53%

South Dakota Science & Technology Authority
Available Resources
4/30/2023

Cash Total Checking	\$ 3,633,325
Cash With State Treasurer	<u>\$ 24,033,945</u>
Total Cash	\$ 27,667,269
Less: Restricted Funds	
Indemnification/Mine Closure	\$ (9,033,566)
SB35 Appropriation	\$ (13,000,000)
Experiments (Xenon, Interest, Infrastructure)	<u>\$ (613,780)</u>
 Total Cash Available for Infrastructure Upgrades and Authority Operations	 \$ 5,019,923
Plus: Accounts Receivable Billed	\$ 1,447,618
Accounts Receivable Unbilled	\$ 1,004,744
Less: Current Liabilities (Accounts Payable & Accrued Payroll)	\$ (3,315,426)
 Available Cash and Receivables	 <u><u>\$ 4,156,859</u></u>

SDSTA Operating Budget Summary FY2023

Actual vs Budget
April 2023 & YTD

	April 2023	Budget	\$ Over/Under Budget	% of Budget	Actual YTD	YTD Budget	\$ Over/Under Budget	% of Budget	% Remaining
									100%
SDSTA (Authority) Direct Charges									
Board of Directors	\$22,640.00	\$29,749.00	\$7,109.00	76.1%	\$223,464.00	\$297,497.00	\$74,033.00	75.11%	24.89%
Executive Office	\$125,899.00	\$112,087.00	-\$13,812.00	112.32%	\$768,570.00	\$912,488.00	\$143,918.00	84.23%	15.77%
Science Center E & O	\$6,417.00	\$4,000.00	-\$2,417.00	160.43%	\$96,115.00	\$121,500.00	\$25,385.00	79.11%	20.89%
Science Liaison	-\$795.00	\$0.00	\$795.00	100.0%	\$886.00	\$0.00	-\$886.00	100.00%	0.00%
SLHVC (Visitor Center)	\$43,046.00	\$46,409.00	\$3,363.00	92.75%	\$502,111.00	\$636,861.00	\$134,750.00	100.00%	0.00%
Subtotal	\$197,207.00	\$192,245.00	-\$4,962.00	102.58%	\$1,591,146.00	\$1,968,346.00	\$377,200.00	80.84%	19.16%
Federal/State Funding - Direct Charges									
Fermi C#671265 Prof. St.Services	\$9,486.00	\$5,000.00	-\$4,486.00	189.72%	\$88,955.00	\$50,000.00	-\$38,955.00	177.91%	-77.91%
Fermi C#685922 Op Serv Support	\$0.00	\$0.00	\$0.00	0.0%	\$0.00	\$0.00	\$0.00	0.00%	100.00%
Fermi C#674969 Ross Logist.Supp.	\$237,711.00	\$250,000.00	\$12,289.00	95.08%	\$2,347,136.00	\$2,500,000.00	\$152,864.00	93.89%	6.11%
Fermi Misc. Contracts	\$0.00	\$0.00	\$0.00	0.0%	\$0.00	\$0.00	\$0.00	0.00%	100.00%
Office of Science Coop.Agree	\$1,489,880.00	\$1,235,343.00	-\$254,537.00	120.61%	\$13,934,235.00	\$13,887,024.00	-\$47,211.00	100.34%	-0.34%
Office of Science IIP Projects	\$6,464.00	\$6,464.00	\$0.00	100.0%	\$2,849,426.00	\$2,849,426.00	\$0.00	100.00%	0.00%
LBNL SIGMA-V C#7371823	\$0.00	\$10,000.00	\$10,000.00	0.0%	\$25,143.00	\$100,000.00	\$74,857.00	25.14%	74.86%
LBNL LZExp.Operat.C#7650068 & DE-SC0022857	\$49,359.00	\$55,000.00	\$5,641.00	89.74%	\$541,505.00	\$550,000.00	\$8,495.00	98.46%	1.54%
MJD (Majorana) ORNL144149 & SDSM&T CT001412	\$1,890.00	\$2,000.00	\$110.00	94.5%	\$17,802.00	\$20,000.00	\$2,198.00	89.01%	10.99%
* Kiewit/Thyssen/DakotaT.	\$1,525.00	\$4,000.00	\$2,475.00	38.13%	\$13,403.00	\$40,000.00	\$26,597.00	33.51%	66.49%
* Caterpillar Inc.	\$0.00	\$0.00	\$0.00	0.0%	\$0.00	\$0.00	\$0.00	0.00%	100.00%
RESPEC Thermal Breakout	\$0.00	\$0.00	\$0.00	0.0%	\$264.00	\$264.00	\$0.00	100.00%	0.00%
Subtotal	\$1,796,315.00	\$1,567,807.00	-\$228,508.00	114.58%	\$19,817,869.00	\$19,996,714.00	\$178,845.00	99.11%	0.89%
Indirect Expenses									
Indirect Charges Personnel	\$345,123.00	\$475,287.00	\$130,164.00	72.61%	\$4,410,873.00	\$5,076,355.00	\$665,482.00	86.89%	13.11%
Indirect Charges Other	\$521,870.00	\$626,547.00	\$104,677.00	83.29%	\$5,824,375.00	\$6,664,072.00	\$839,697.00	87.40%	12.60%
Subtotal	\$866,993.00	\$1,101,834.00	\$234,841.00	78.69%	\$10,235,248.00	\$11,740,427.00	\$1,505,179.00	87.18%	12.82%
Totals	\$2,860,515.00	\$2,861,886.00	\$1,371.00	99.95%	\$31,644,263.00	\$33,705,487.00	\$2,061,224.00	93.88%	6.12%
* Private Corporations (Commercial Group)									

SDSTA
FY2024 Budget

<u>Funding Source</u>	<u>P.O/Subc.</u>	<u>FY24 Amount</u>	<u>FY23 Amount</u>	<u>Difference</u>	<u>Details on Differences</u>
CA Cooperative Agreement	DE-SC0020216	22,564,892	24,859,152	(2,294,260)	An increase in regular operations for the Coop Agreement - \$528K direct dollars; and, a reduction for IIP projects primarily Orohondo fan project - \$2.8M direct dollars
LBNL LZ Experiment Support/Research Grant	DE-SC0022857	616,120	669,006	(52,886)	Supported by DOE Grant in FY2023
SIGMA-V	7371823	-	35,346	(35,346)	Decommissioned in FY2023
FRA Ross Logistics Support	674969	3,385,268	3,042,766	342,502	Comparable to prior year (increase in Labor & Emp. Bene.)
FRA Engineer Support	671265	130,920	128,353	2,567	Very Comparable to prior year
FRA LBNF Grounds Keeping Support	New Contract	914,098	738,441	175,657	New Subcontract projected to start in FY2024 (July 2023)
SDM&T MJD	CT001412	24,422	15,600	8,822	Primarily increase in LN pricing
Thyssen Mining (Property/Equip. Lease)	Lease	32,400	38,700	(6,300)	Equipment Lease slightly lower
RESPEC	03506A	1,000	27,583	(26,583)	Project slowed activity
CASPAR	New Contract	2,670	-	2,670	CASPAR will be resuming activities again in FY2024
Geothermica	New Contract	50,000	-	50,000	New Subcontract projected to start later in FY2024. Using SIGMA-V equipment
Caterpillar	Lease	96,043	94,997	1,046	Same Contract.
Indirects		14,008,892	13,427,497	581,395	Increase in FTE, employee compensation, liability insurance and IT costs.
Totals		\$ 41,826,725	\$ 43,077,441	\$ (1,250,716)	

SDSTA Operating Budget Summary FY2024
July 2023 - June 2024

Sources of Revenue		Total Budget \$ FY2024	Budget \$ FY2023	Difference	Details on Differences
Federal Funding	SDSTA Funds				
Board of Directors	18,000	\$18,000	\$37,000	(\$19,000)	Lobbyists moved to Unall, no Dialogue in FY2024
Executive Office (Includes Xenon Interest/Insurance, Marketing and Unallowable)	1,065,595	\$1,065,595	\$1,194,181	(\$128,586)	Increase in Xenon Insurance, part of an FTE moved to indirect funds, and \$85K less for Advocacy fees in FY2024; \$185K added by board mid year FY2023.
SURF Foundation	306,814	\$306,814	\$267,150	\$39,664	Additional FTE added for FY2024
Science Liaison - Collecting Liquid Nitrogen Costs (bill to contract users)	\$0	\$0	\$0	\$0	No Change
* Science Center E & O	150,800	\$150,800	\$159,100	(\$8,300)	Decrease for one less intern in FY2024
SLHVC (Sanford Visitor Center)	636,524	\$636,524	\$754,193	(\$117,669)	Decrease for directors salary moved to indirect funds
Sacred Circle Garden Construction	614,536	\$614,536	\$0	\$614,536	Construction contract for Sacred Circle Garden. Approved in FY2023, construction costs will be received in FY2024
4850 UG Laboratory Expansion Phase I	800,000	\$800,000	\$800,000	\$0	Funded from SB35
Total	3,592,269	3,592,269	3,211,624	380,645	
* Science C.E & O (Approx. \$18K from Chris B./Jack H. Memorials) Davis B. \$15K , \$25K STEM Stipends - Foundation Funding)					

Total Authority Operating Budgets	\$0	\$3,592,269	\$ 3,592,269	\$3,211,624	\$380,645
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Federal Funding (includes Indirect Budget)	\$41,826,725	\$41,826,725	\$43,077,441	(\$1,250,716)	See Details on Difference on Next Tab
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Total for Approval	\$41,826,725	\$3,592,269	\$ 45,418,994	\$46,289,065	(\$870,071)
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Total FTE

SDSTA Funds	4.0 FTE + interns and part time Visitor Center(2FTE)
Other & Indirect	189.5

Total FTE	195.5	Net Increase of 4 FTE
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SDSTA Funds includes funding from GOED for Xenon Interest
SDSTA Funds includes funding from SB35 for UG Lab expansion
SDSTA Funds includes funding from the SURF Foundation

Executive Director's Report—Mr. Mike Headley

The Executive Director's Report includes the following:

- 9A. Declaration of surplus— miscellaneous end-of-life equipment, attached.
- 9B. SDSTA quarterly update—*informational*.
- 9C. Hoists & Shafts update—Ms. Wendy Straub *presentation*.
- 9D. LBNF excavating to outfitting update—Mr. Joshua Willhite, *presentation*.

See recommended motion below.

Recommended Action:

Motion to accept the Executive Director's Report as presented.

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DECLARATION OF SURPLUS PROPERTY

The South Dakota Science and Technology Authority (SDSTA) owns the listed items below that have reached end-of-life. Both of these items are fully depreciated, still operate, have monetary value, and they will be designated as surplus for sale.

- Meyer Snowplow on truck #136 – S/N 16090720323044485 – Asset # PL-XXS99-05
- Western Sander on truck #109 – Asset # SN-XXS99-01

The below items have also reached end-of-life and it is not cost effective to repair them nor do they have monetary value to be sold. Therefore, this equipment will be scrapped:

- Shaft Counterweight – Asset # CT-RSU01-04
- Large Portable Air Tank – Asset # VE-XXB99-01
- Sky Climber Electric 208V Hoist
- Delta Optical Comparator
- Skid Tanks Pumping System (4)
- Surface Lab Water Tank
- Profi 1-Ton Air Hoist – S/N 405031
- Skyclimber Electric Hoist 208V (4)
- Skyclimber Work Deck

Having no further use for this property, I hereby declare the above listed items to be Surplus Property.

Dated at Lead, South Dakota this 7th day of June 2023.



Mike Headley (Jun 7, 2023 13:05 MDT)

Mike Headley
SDSTA Executive Director

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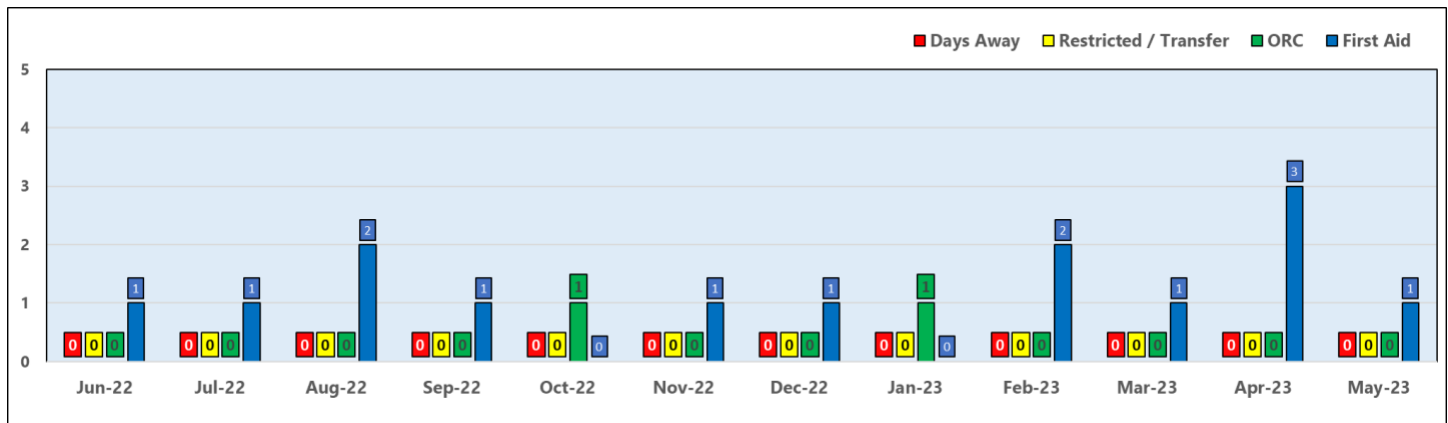
March – May 2023 Progress Report
Submitted June 14, 2023

Submitted to:
South Dakota Science and Technology Authority Board of Directors

Mike Headley
SDSTA Executive Director
Sanford Underground Research Facility Laboratory Director

Environment, Safety and Health (ESH) Status

Health and Safety Status



SDSTA Rolling 12 Months – Days Away Restricted or Transferred Rate 0.00

March 2023 thru May 2023: Recordable Cases

- No events to report.

March 2023 thru May 2023: First Aid Cases

- 3/8 – Employee cut on hand; evaluated by Occupational Health Nurse and Band-Aid applied.
- 4/17 – Employee struck by; evaluated by Occupational Health Nurse and ice applied.
- 4/22 – Employee twisted back; evaluated by ERT and ice applied.
- 4/30 – Employee struck by; evaluated by ERT and ice applied.
- 5/12 – Employee slip and fall; evaluated by ERT and Band-Aid applied.

ESH Support

- ESH Training Supervisor position filled in May.
- ERT Supervisor position filled in May.

Work Accomplishments

- Approved ESH Manual Standards:
 - Respiratory Protection
 - ESH Training
 - Guide and Guide Training
 - Lead (Pb)
 - Trenching and Excavation
 - Fatigue Management
- ESH personnel conducted twenty-three safety sweeps onsite.
- ESH completed the following incident investigations:
 - Ross slung load contacted the wood guide, resulting in damage to the guide.
 - Employee slip, trip and fall, resulting in cut to hand.
 - Piece of blocking in Yates Shaft became unsecured and caught set, damaging work deck floor.
 - Hammer glanced off post and struck employee's shin.
 - Employee twisted back while operating jackleg drill.
 - Bottle jack fell over striking employee.
 - Employee slip, trip and fall underground resulting in slight laceration to knee.
- ESH conducted the 4850L LBNF site visit and safety inspection with FRA.
- SDSTA Occupational Health Nurse and ERT completed the onsite CPR/First Aid/AED classes for SDSTA new hires.
- ESH completed the underground evacuation drill, testing the new stench system, Yates Shaft readiness and Caterpillar personnel tracking system.

- Nine SDSTA personnel completed the Mine Safety and Health Administration Train the Trainer course, and each obtained certification.
- ESH conducted a workshop with FRA regarding minimum physical requirements for underground access. This information will be addressed in the Facility Access documents.
- SDSTA completed the annual fire extinguisher and suppression systems inspections.
- ERT provided fire extinguisher training to SDSTA personnel utilizing the Bullex training prop.
- Members of ESH attended Fall Hazard Awareness for Construction Industry training facilitated by Western Dakota Technical Institute.
- ERT is installing level access permit signage throughout the underground. The Access Control Standard, associated work instructions, and training are being developed for the rollout of this process.
- Hosted the Loss Prevention Specialist from SDSTA's worker's compensation organization focusing on ergonomics. ESH is currently developing an ergonomics initiative and increasing staff training on ergonomic evaluations.
- ESH conducted fall protection and prevention meetings during daily toolbox talks and other pre-work meetings.

Upcoming Activities/Trainings

- June – Quarter 2 Office of Risk Management Compliance Visit
- September – Environment, Safety, and Health Advisory Committee (ESHAC) Review

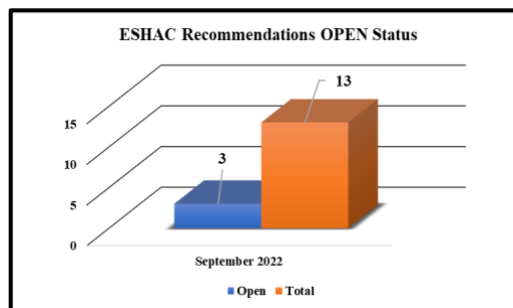
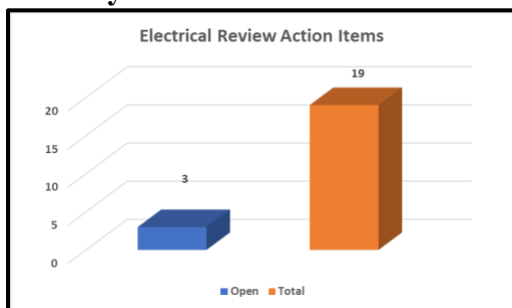
Wellness Initiatives

- March – “Eat your Greens”
- May – “Walking for A Nobel Prize”

Environmental Support

- SDSTA received results of the 2022 Aquatic Biological Monitoring Report. This marks the 15th year of SURF's water quality exceeding the set standards.
- All monthly discharge monitoring reports, as required by the National Pollutant Discharge Elimination System, were prepared and submitted to the South Dakota Department of Agriculture and Natural Resources. All water discharged was within permit limits.
- Whole Effluent Toxicity Testing was performed on discharged water. The facility passed the aquatic life survival testing.
- Over 1,000 pounds of hazardous waste and 1,500 pounds of non-landfillable solid waste were transported for proper recycling or disposal.
- One pallet, five gaylords and four security bins of electronics were transported for proper recycling or destruction.
- Annual refresher training was provided to all employees for Environmental Compliance, Hazard Communications and Historic Preservation.
- The Spill Prevention Control and Countermeasure Plan (SPCC) for oil pollution prevention as updated and certified. In addition, all SPCC inspections were completed.
- A semi-annual storm water inspection was completed.
- ESH hosted an 8-hour Hazardous Waste Operations and Emergency Response (Hazwoper) refresher course.
- The Annual Tier II Report (“Emergency Planning and Community Right to Know”) has been completed and submitted to the State of SD, the Local Emergency Planning Committee and the Lead Fire Department.
- The Environmental Coordinator renewed Environmental Protection Agency Method 9 Certification (visible emission observation).

Third Party Review Recommendations Status



Surface and Underground Operations Status

Yates Shaft

Work Accomplishments

- Additional survey points added for movement monitoring in the upper areas of the shaft.
- Albertson Engineering completed 2-year conveyance inspections on the Yates conveyances.
- Yates Shaft crew reached the 1100L with Top Down Maintenance (TDM).
- SDSTA employees are working overtime to cut the new shaft timber per Homestake designs and specifications.
- Yates Shaft transitioned from resin rebar bolts to split sets to save time and money. Long term ground support will be installed during shaft rehabilitation.

Upcoming Activities

- Focus on TDM in all compartments from the 1100L – 1700L, specifically structural timber.
- Re-evaluate limited access to the 1700L.
- Continue TDM to reach the loose rocks below 4100L.

Ross Shaft

Work Accomplishments

- Ross Shaft crews safely slung over 245 separate loads to support LBNF/DUNE.
- Ross crew safely installed the new cage counterweight.
- Continued to work on issues with the new skip guide wheels. FKL sent a representative to adjust the pressures which helped but did not fix the issue.
- Ross Shaft management reviewed the conceptual drawings for the proposed double-deck cage and supplied comments to FRA; the conveyance will eliminate the need to sling some of the DUNE cryostat components.
- All Ross Shaft conveyances were inspected by Albertson Engineering.

Upcoming Activities

- Shaft rehabilitation will be reviewed by a third party and recommendations made for cage hoist speeds.

Hoist Maintenance

Work Accomplishments

- Real time displays installed to monitor bearing temperatures on the Yates Ore Hoists.
- Ross ore hoist commissioned to higher speeds. The operating speed will remain 2,000 fpm.
- Ross cage hoist complete and plan to increase operating speed to 1,500 fpm for supplies only.
- Bi-annual hoist rope non-destructive testing (NDT) complete.
- Accelerometer tests complete at higher speeds for both the Ross cage and ore hoists.

Upcoming Activities

- Ross skip rope cuts.
- Yates cage rope cuts.
- Installation of real time bearing temperature sensors on the Yates cage hoist.
- Seimag Tecberg Ross hoist commissioning the ore hoist and cage at higher speeds; this is commissioning only. Operating speeds will depend on accelerometer tests on the ore hoist. The cage speeds will be reviewed separately.

Underground Hazard Mitigation

Work Accomplishments

- Installed multiple ventilation stoppings on the 2150L and 2300L.
- Completed extending pipe into sump in the 3650L pump room.
- Completed support of rail installation on the 1700L.
- Began installing MineStar hardware at the Davis Campus on the 4850L.

- Mucked out #2 Air Raise on the 1700L.
- Completed installation of on-demand regulator at the 2000L Oro Hondo bulkhead.
- Mucked out ditch on the 1700L from the Ross station to the Yates crossover.

Upcoming Activities

- Complete MineStar system installation on the 4850L at the Davis Campus.
- Complete installation of MineStar hardware on the 1700L transportation corridor.
- Complete installation of ventilation stoppings on the 2150L and 2300L.

Surface Operations and Utilities (SOU) Support

Facility Maintenance (Surface and 4850L) and Mobile Equipment

Work Accomplishments

- Prepared SLHVC Trolley for the summer season.
- Continued to work with ESH department to monitor storm water controls during snow melt and heavy spring rains.
- Worked with procurement to purchase several new pieces of equipment.
- Continued asset cleanup efforts.

Upcoming Activities

- Working with ESH to update training modules and Standard Operating Procedures (SOPs).

Electrical / Cyber Infrastructure / Dewatering

Work Accomplishments

- Worked with contractor to replace Deep Well pump in No. 6 Winze.
- Working with Information Technology team to procure fiber mapping software.
- Completed 4850L West Drift Lighting project.
- Replaced pump/motor in 5000L pumproom.
- Updated electrical capacity at Yates PPE room.

Upcoming Activities

- Work to update power feed to Yates Guard House.

Wastewater Treatment Plant (WWTP)

Work Accomplishments

- Successfully operated WWTP on low flows during pump outage and ramped back to normal after replacement.
- Second phase of Yardney replacement media was ordered.
- Continue to support IIP project for RBC replacement.
- Successfully updated all WWTP Standard Operating Procedures (SOPs) and Work Instructions.

Upcoming Activities

- Focus on WWTP cross training.

Operations Integration and Maintenance Planning

Work Accomplishments

- Worked with SOU team to update roughly 95% of IMS documentation.
- Continued to work with other departments to facilitate asset tracking.
- Completed annual warehouse cycle count.

Upcoming Activities

- Working with Rigging Specialist to update rigging inventories in ManagerPlus.

Engineering Support

Work Accomplishments

- SURF 4850L Laboratory Expansion Feasibility Assessment: SDSTA issued a Request for Proposal (RFP) to TMI in May 2023 to perform the design for Phase A excavations (by-pass ventilation drift and waste rock handling underground).
- The 4850L Refuge Chamber HVAC design proposal kicked off in March 2023 to West Plains Engineering. The project will include completion of a Pro/Con study of options to replace/augment the HVAC to facilitate decision-making and funding requirements.
- The Yates Hoistroom Building Roof Replacement design was completed by Albertson Engineering. Construction RFP was issued with no proposals received that could complete the work in 2023. The RFP was amended to allow construction in 2024. Proposals were received and review is ongoing.
- The new Ross counterweight was successfully installed in March 2023. Commissioning of the Ross Cage with the new counterweight was performed in May 2023.
- The RFP for WWTP Rotating Biological Contactor replacement was completed along with the advertising process. Contractor proposals are in the review process.
- The Engineering team assisted the Operations team to inspect the Ellison Hoist Building after report of structural failure above the large entry door. Determination was made to close all access and plan for future building demolition.
- The Facilities & Infrastructure Systems Inventory and Condition/Risk Assessment Report was completed. This report categorizes all SURF systems with their condition to include risks and vulnerabilities.
- A Sacred Circle Garden preconstruction meeting was held on March 20, 2023. Materials have been ordered and mobilization is planned for June 26, 2023.
- Brownfield Grant Application Development: Contract awarded to Stantec for grant application development for the FY24 cycle. Applications are due to EPA around November 1.
- The 3650L Pump Room Rehabilitation – Construction advertising process completed. The initial set of proposals submitted by contractors to perform the construction were reviewed.
- Geographic Information Systems (GIS): 1700L ramp utilities for GIS were mapped. The Building & Integration Phase submittal was received showing the new data from the 1700L that has been imported into the geographic information system (GIS) database. The Final Application Design was received showing the user interface of the new application and demonstrates how the users can interact with it.
- Replacement Power Cable East Switchyard project: Pre-construction and product data submittals for equipment, works plans and job hazard analyses were received and reviewed.
- Oro Hondo backup fan, motor, ductwork, and housing have been installed and new fan commissioned with free air. A three-day ventilation outage for E-house installation was coordinated.
- Deep Well Pump Changeout: The revised rigging design was completed, rigging was ordered and installed and contractor mobilized to complete pump installation and final commissioning.

Quality Assurance / Quality Control Status

- Change Control Request (CCR) Submittals and Approval/Pending (2/21/23 - 5/30/23).
 - Initiated CCRs – 65
 - Approved CCRs – 62
 - Pending CCRs – 03
 - SDSTA Internal Documents Converted to IMS Format as of 5/30/23 – total of 375

CCR#	Title	Status	Approval Date
696	SPCC Plan	Approved	4/4/2023
697	SPCC Maps Updates	Approved	2/21/2023
698	Tier II Reporting Map	Approved	2/21/2023
699	Yates Emergency Egress during Maintenance	Approved	2/21/2023
700	Update Substantial Completion Certificate Form	Approved	2/23/2023

CCR#	Title	Status	Approval Date
701	Update SOP 0013	Approved	2/27/2023
702	Admin Services Docs	Approved	2/27/2023
703	New IT Doc	Approved	3/3/2023
704	SPCC Forms Updates	Approved	3/2/2023
705	Admin Services Doc Archive	Approved	3/8/2023
706	Active Directory Change Form Update	Approved	3/10/2023
707	Updates to Document Change Control Standard	Approved	3/21/2023
708	Update to IMSM-SDSTA Work Instruction Template	Approved	3/21/2023
709	uniPoint Update to IMSM Docs	Approved	4/11/2023
710	Updates to WPC and WI	Approved	3/21/2023
711	UO Maps Revisions	Approved	3/16/2023
712	Project Slide Update	Approved	3/20/2023
713	WWTP SOPs Update	Approved	3/20/2023
714	Update to SDSTA PY & PP Manual	Approved	3/23/2023
715	SOP 159	Approved	3/22/2023
716	Admin Services Docs	Approved	3/21/2023
717	SOU Docs	Approved	3/21/2023
718	Job Hazard Analysis Form Update	Approved	3/21/2023
719	Project Slide Update	Approved	3-22-230
720	New IT Work Instruction	Approved	4/4/2023
721	Oxygen Deficiency Hazards Docs	Pending	
722	Lead (Pb) Docs	Approved	4/18/2023
723	ESH Training Docs	Approved	4/18/2023
724	Updated Required ISO Documents	Approved	4/6/2023
725	WBS Register	Approved	4/5/2023
726	Update to H&S Form	Approved	4/6/2023
727	Update ESH documents for SURF website	Approved	4/13/2023
728	Trenching and Excavation Standard Docs	Approved	4/25/2023
729	Fatigue Management Docs	Approved	4/25/2023
730	New IT Work Instruction	Approved	4/17/2023
731	New IT Work Instructions	Approved	4/18/2023
732	Update to WPC Standard	Approved	4/25/2023
733	Update to IMSM & Engineering Docs	Approved	5/1/2023
734	ALI Standard	Approved	4/25/2023
735	New and Updated IT documents	Approved	4/20/2023
736	Update to IMS Org Chart and Archive others	Approved	5/16/2023
737	Update to Spill Response Flow Diagram	Approved	4/25/2023
738	Update to Guide Cert Form	Approved	4/25/2023
739	SOP for Low Voltage	Approved	4/26/2023
740	SOU SOPs	Approved	4/27/2023
741	SOU WWTP WIs	Approved	5/1/2023
742	Update to User Association Charter	Approved	5/16/2023
743	Changes to EMS	Approved	5/3/2023

CCR#	Title	Status	Approval Date
744	Change SDSTA Emergency Contact List from Admin to HR	Approved	5/3/2023
745	WWPT SOP 037	Approved	5/3/2023
746	Hazcom Standard Update	Approved	5/17/2023
747	PPE Docs Updates	Approved	5/17/2023
748	Update to IT Standards	Approved	5/24/2023
749	Admin Service Docs	Approved	5/5/2023
750	Telephone List Registers	Approved	5/5/2023
751	Unwanted Event Summary Changes	Approved	5/8/2023
752	H&S Docs	Approved	5/10/2023
753	SOU Work Instruction Docs	Approved	5/9/2023
754	Calibration Docs updates	Approved	5/24/2023
755	IT Docs Updates & New	Approved	5/17/2023
756	Change to DCCS Docs	Pending	
757	Ventilation Quarterly Survey Form	Approved	5/17/2023
758	IMSM Doc Update and Changes	Pending	
759	Update and creation of SOPs for Dewatering and Electrical	Approved	5/18/2023
760	Update to Blast Permit	Approved	5/22/2023

- Completed projects
 - Deep-well Pump Replacement
 - Ross Cage Counterweight Install
- Other completed activities
 - Internal Process Audits
 - Communications
 - Accounting & Finance Office
 - Executive Leadership
 - Environment, Safety and Health Department
 - Information Technology Department
 - Installation and activation of Audit/NC/CA Software (uniPoint)
 - QC Specialist Level 1 selected

Upcoming Activities

- Upcoming Development and Release of QA/QC Training
 - uniPoint User
 - Internal Auditor Training using unipoint
 - Revised ISO/IMS Annual Refresher Training
- Upcoming Projects
 - Access Control Project (Phase II)
 - 3650L Pump Room Rehab Project
 - WWTP RBC Replacement
 - Completion of Saddles Torquing 5,6,7 Locations (3stimated date 8/2023).
 - East Switchyard Power Cable Replacement
- In-Process Projects
 - Oro Hondo Fan Project
- Upcoming other activities
 - CY2023 Surveillance Audit (Orion)
 - Science Department Internal Audit

- Engineering Department Internal Audit
- Hoists and Shafts Department Internal Audit
- Contracts and Procurement Office Internal Audit
- Education and Outreach Department Internal Audit
- In-Process (IP) other activities
 - Underground Operations Internal Audit
 - COTO log reviews
 - Management Review (second meeting)

Science Support Status

- SURF status and plans were presented during the P5 Town Hall held at SLAC in early May: <https://indico.slac.stanford.edu/event/7992/contributions/5882/>. Subsequent meetings have been organized with representatives of the two main generation-3 dark matter experiments (XLZD using xenon and Argo using argon), and responses to specific questions from the P5 Cost and Schedule subcommittee have been sent. The final P5 report is expected in October 2023.
- The Fundamental Symmetries, Neutrons and Neutrinos whitepaper (including SURF) was posted as part of the 2023 Nuclear Science Long Range Plan process: <https://arxiv.org/pdf/2304.03451.pdf>.
- Dates have been set for the next Science Program Advisory Committee (SPAC) meeting: September 27-29.
- During the quarterly User Association Executive Committee meeting officer positions were decided and spring 2024 was proposed for the next general meeting; updated charter language was also approved: <https://sanfordlab.org/researchers/surfuserassociation>.
- Plans are advancing for the Center for Theoretical Underground Physics and Related Areas (CETUP*) summer workshop on dark matter and neutrino topics. Formal registration closed with more than 70 participants registered for the four-week program in Lead, SD (June 19-July 14).
- After updating some materials, the Low Radioactivity Techniques 2022 proceedings will be published by August.
- A SURF overview with options for a vertical facility was presented at the Terrestrial Very-Long-Baseline Atom Interferometry workshop held at CERN (remote participation).
- Science Department personnel participated in a DOE review of the SuperCDMS-SNOLAB experiment in Canada.
- Discussions are ongoing with representatives of the SUPL underground laboratory in Australia regarding the SURF science program and outreach, and more interactions are anticipated.
- Two Science Department interns started mid-May (10-week program), and four Texas-based interns with the DOE RENEW program will be onsite in early July (1 week).
- Interruptions: Restricted access in April due to weather had no significant impacts on experiments. Troubleshooting a network fiber issue affected some network switches near Davis Campus and some dedicated LZ fibers. Issues continue intermittently with Davis Campus HVAC system (mainly the dehumidifier chiller). Planned fire suppression maintenance proved more disruptive than expected for LZ.

LUX-ZEPLIN—LZ

- Following the unexpected interruption of science run #2 in February, new high voltage settings were identified, and the detector has been operating in a stable mode.
- Preparations for science run #3 have included detector trigger/data acquisition tuning, and a comprehensive calibration campaign (including AmLi, tritium, Rn-220, AmBe, Kr-83m and Xe-131m sources) is set to wrap up in early June. Science run #3 is expected to begin in late June once xenon flow parameters are finalized.
- In the past quarter, maintenance was largely completed on xenon compressor #2 (backup unit), but verification is waiting for maintenance to be completed on the main xenon sampling system (a new turbo pump was installed, and more parts are expected soon).
- Neutron counters were sent for offsite calibration while the DD neutron generator is not in use.
- A new sampling apparatus for the outer detector is being tied into the Davis Campus water circulation system.
- A comprehensive review of the piping and instrumentation drawings (P&IDs) is being planned.
- Both cryocoolers are being monitored due to elevated oil pressure, and discussions continue with the vendor.

MAJORANA DEMONSTRATOR—MJD

- Updated Ta-180m results were presented at the April APS meeting. The collaboration expects to submit a paper for publication in June. Note that a LNGS Ta-180m paper was recently submitted for publication: <https://arxiv.org/abs/2305.17238>. The new search improves the limit by ~10x, but the MJD limit is expected to be 10x better than the new LNGS value.
- In addition to the liquid nitrogen (LN) probe failure noted last quarter, another LN level probe and dewar heater failed in this quarter, which affected the glovebox and shield purge systems and ultimately led to the suspension of data taking in mid-May. After repairs and cleaning, the LN system is expected to be back online in early June.
- Preparations were completed for electroforming bath #3, including leaching and loading copper nuggets, and by the end of May a mandrel was set in the bath to begin copper growth. Copper machining activities continue intermittently, roughly one day every two weeks.
- A new batch of electrowinning resumed at the surface WWTP (some experiment equipment was moved offsite).
- SD Mines IT personnel were underground to help troubleshoot issues with experiment computers.
- Discussions were held with collaborators working on an updated muon flux measurement; slant depth based on a recent USGS topographical survey and geology information is being compiled using the Vulcan database.

Low-Background Counting

Black Hills State University Underground Campus—BHUC:

- Regular sample swaps LN logistics continue with SDSTA support. Analysis of Theia samples finished, and a second round of samples for the NEXT-100 neutrinoless double-beta decay experiment is underway.
- Remote sensor readout (e.g., LN dewar mass) was re-configured after the new SDSTA wireless network was installed at Davis Campus (new hardware and network permissions).
- Initial installation of shielding for the nEXO Ge-IV detector took place over two separate trips in March and May. A walk-through inspection to support authorization for production operation of the detector was performed by SDSTA personnel, including a focus on the hoisting/rigging setup. The Ge-IV detector is currently taking background data, and local BHSU and SDSTA personnel plan to open the GeIV shield in June and assist in troubleshooting some detector performance issues.
- Starting at the end of May, BHSU REU students are participating in research activities at SURF.

SIGMA-V

- Even though the experiment is decommissioned, local collaborators performed follow-up inspections of precipitates on the 4100L drift rock, indicating sources of water inflow to validate ongoing analyses.
- Several boxes of 4100L core were shipped to LBNL for analysis, with return expected later this summer.

DEMO-FTES

- A formal Experiment Planning Statement is being reviewed by SDSTA personnel in conjunction with a Request for Proposal for onsite preparation and support. Activities at SURF are expected to begin before October.
- A support letter was provided for a DOE Science Foundations for Energy Earthshots proposal called CUSSP leveraging the SIGMA-V 4100L infrastructure aiming at a 2024-2027 timeframe after DEMO-FTES.

Compact Accelerator System for Performing Astrophysical Research—CASPAR

- A visit to the Ross Campus laboratory was conducted in early June in preparation for resuming activities in 2024.
- A SD Mines student successfully defended his PhD thesis involving the $^{22}\text{Ne}(\alpha, n)^{25}\text{Mg}$ reaction with CASPAR.

Other Current Research Activities

Physics

- TESSERACT: Ongoing discussions prompted re-arranging planned locations of some items and highlighted some other needs. Personnel visited the Davis Campus in early June in order to inform planning discussions. During a recent project update, funding opportunities in other countries were mentioned (e.g., France).
- Cryogenic Test Facility: A decision is expected by August regarding the Virginia Tech dilution refrigerator proposal to the NSF. The proposal identified 12 major users (+ others), including neutrinoless double-beta decay, dark matter, and quantum information systems.

- Scintillating Bubble Chamber (SBC): The experiment was considering SURF as a possible location, but with additional resources is now planning first measurements at SNOLAB.
- Other: A group is interested in SURF for a detector based on nucleation of supercooled water (“Snowball” chamber) for dark matter, neutrinos, etc. Two NSF mid-scale RI-1 design proposals related to SURF were not funded (Theia, Ge Lab). Support letters were provided to two DOE RENEW science internship proposals. A group interested in nuclear structure and magnetic field measurements is inquiring about opportunities at SURF.

Geology

- 3D DAS: Information was shared regarding LBNF/DUNE excavation blast times relevant to data analysis.
- Eden Geopower: The group is withdrawing their proposal to develop a test site at SURF citing funding concerns.
- Other: A group is preparing a NASA geochemistry proposal for Black Hills water sampling, including SURF.

Engineering

- Thermal Breakout: The main heater tool is still in fabrication with potential testing in September.
- GEOX™: In conjunction with SDSTA personnel, representatives brought the 5000L airflow meter back online.
- Other: A support letter was provided for a SD Mines novel shotcrete proposal using plastic waste.

Quarterly Work Plan Variances

- The Quarter (February – April) shows an overall overrun of \$398,349.
- Labor for the three months shows an underrun of \$84,018.
- Nonlabor for the three months shows an overrun of \$482,367.
 - Yates Shaft budget is over \$616K.
 - Utilities are over by \$131K.

Financial Status

Included in the Financial Report are the following:

- Cooperative Agreement SURF Services FY2023 (federal fiscal year) SPA Curve as of April 2023 (included as Appendix A at the end of the report)
- Financial Summary (included as Appendix B at the end of the report)
 - 1) Balance Sheet as of April 2023
 - 2) Comprehensive Statement of Income April 2023
 - 3) Comparative Balance Sheet – April 2023 vs. April 2022
 - 4) Comparative Statement of Income – April 2023 vs. April 2022
 - 5) Available Resources as of April 2023
 - 6) Operating Budget Summary

Cooperative Agreement (CA) SURF Services FY2023 Scheduled Performed Actual (SPA) Curve

- The SPA curve presented in Appendix A provides a summary of the CA-SURF Services Award No. DE-SC0020216 scheduled financial performance compared to the actual costs. The report shows funding through April 2023 along with information related to Funded-to-Date dollars, Scheduled dollars, and Actual dollars by month. Actual dollars represent actual invoices for the months sent to the DOE Office of Science for reimbursement. For April, the invoices totaled \$2,227,337 which is higher than the anticipated reimbursements of \$1,857,387 by \$369,950. Cumulative expenses are at \$84,178,400 which is higher than the budgeted \$84,000,095 by \$178,305. Large projects, purchasing and hiring are on track.

Balance Sheet Items

- Cash in Local Checking—Total on hand April 2023 was \$3,633,325; down from last month by \$2,523,289. Funds on hand were necessary to pay operating expenses including employee salaries, medical/life/vision insurance, and other items. Cash was down mainly from payments made from the proceeds of the sale of Xenon used to pay down the Long-Term Xenon Notes Payable owed to the three foundations.
- Cash with State Treasurer—Total balance of \$24,033,945; This amount increased from last month with the receipt of \$13 million provided by SB35 for the underground expansion phase 1.
- Billed Accounts Receivable (A/R)—Billed A/R represents any open invoices based on contracts from sources such as the DOE Office of Science, Lawrence Berkeley National Lab (LBNL), Fermilab, other smaller contracts from other universities/private entities, and Barrick-Homestake Mining Company. Total is at \$1,447,618; Down

from last month by \$384,342. Included in the balance are open invoices for; \$413,853 from Fermilab primarily from the contract for Ross Shaft Logistics Support, \$1,023,994 from the DOE for the Cooperative Agreement; \$2,985 from the SD Mines for the MJD project, \$2,408 from Thyssen Mining Incorporated (TMI) for equipment rental, and \$4,378 from the Barrick-Homestake Mining Company for electrical usage reimbursement.

- **Unbilled A/R**—Current balance is \$1,004,744. The unbilled A/R represents items that have not been billed on various contracts, in this case it was primarily labor expenses. April's balance increased by \$29,510, from March. These were billed in May.
- **Other A/R**—Current balance of \$388,980. This balance represents Interest Receivable and Miscellaneous Accounts Receivable. The balance increased by \$20,028. Activity for this month includes recording the interest accrual for April.
- **Inventory/Supplies**—Balance at \$3,150,678 for fixed assets being stored but not in service. This balance remained unchanged from last month.
- **Inventory Warehouse/Personal Protective Equipment (PPE)**—Current balance of \$439,445. This balance represents the warehouse inventory that was purchased by SDSTA prior to federal funding, the warehouse inventory purchased with federal funds, and an inventory category for the SLHVC inventory. The balance was unchanged from the previous month. All three inventories have separate account balances that are tracked. Yet they are summarized on the balance sheet under one category.
- **Other Current Assets**—This listing on the balance sheet represents the balances of both prepaid insurance – \$1,058,717 and prepaid other – \$452,955. Total balance of \$1,511,672 decreased from last month by \$162,508. This decrease is primarily due to insurance expensed in April.
- **Fixed Assets**—Current balance of \$94,545,364. Fixed assets activity since last month includes recording items for the tuck pointing and roof drain improvements – \$1,917,964; and the purchase of a western tornado sander - \$10,919. The net increase of \$1,639,303 since last month includes depreciation on fixed assets. Note: depreciation for the DOE Property Transfer items is separated as this amount will not be included in our indirect cost recovery on contracts.
- **Asset Retirement Obligation Deferred Outflows (ARO)**—There would be costs associated with closing the SURF facility, if abandoning the site would occur. Outside regulatory agencies that would be involved with oversight of the closure include the U.S. Environmental Protection Agency and the South Dakota Department of Agriculture and Natural Resources. The capital assets on SDSTA's financial statements that would be included in the asset retirement obligation are land, above ground and underground infrastructure, and buildings. SDSTA used a team of internal experts to develop the estimate including mining engineers, mechanical engineers, construction managers, heavy equipment experts, all with expertise in mining, underground, and environmental industries. The methods and assumptions used by these experts were to estimate hours associated with completing all necessary tasks using a current average salary and benefit rate, plus any associated contractor fees. The ARO balance is \$1,129,638 and will be depreciated over an estimated useful life of 30 years.
- **Pension Deferred Outflows**—This designation on the Balance Sheet reflects the requirements related to the Governmental Accounting Standards Board (GASB) No. 68 and No. 71 in reference to pensions. SDSTA is required to report the net pension asset or liability on the face of our financials along with related deferred inflows and outflows. The State's retirement system is now fully funded. The Net Pension Asset is a restricted asset. Thus, the equity created is also restricted. The balance Pension Deferred Outflows shown as a noncurrent asset is \$11,243,669 created by FY2022 financial entries. The balance has increased from the previous year by \$7,107,857.
- **Xenon Purchased**—Balance of \$8,687,833 represents the value of xenon purchased for use by experiments. The xenon inventory is considered a non-current asset and includes all the purchases through fiscal year 2020. The processed xenon has all been shipped from Stanford University to SDSTA for use in the LZ experiment. It is now in their closed loop system. In November 2022, the sale of 45,274 liters of xenon was negotiated for \$2,878,810. Current book value of the xenon sold is \$246,517. The proceeds from this sale were used to pay down the Long-Term Xenon Notes Payable owed to the three foundations.
- **Total Assets**—Total of \$151,216,910. This balance has increased from last month by \$11,618,701 which represents the net activity as listed above.
- **Accounts Payable**—Our Total Accounts Payable balance of \$927,173 at the end of the month compared to last month has decreased by \$70,434.

- **Accrued Payroll Liabilities**—Current balance of \$2,388,253 has increased by \$40,664 from last month. This represents the net change between earned vacation and vacation taken and other changes in employee benefit-related liabilities.
- **Long Term Xenon Notes Payable**—This designation represents \$2M of funding received from the South Dakota Community Foundation, \$2M received from the University of South Dakota Foundation, and \$2M received from the South Dakota State University Foundation. The \$6,000,000 was designated for purchasing xenon for experiment use at SURF. The balance decreased from last month with a principle payment in the amount of \$2,878,810. This is the proceeds from the sale of a small portion of the xenon.
- **Pension Deferred Inflows**—This classification reflects the requirements of GASB No. 68 and No. 71, as discussed earlier. The balance of \$9,300,127 represents our portion of the difference between projected and actual earnings on pension plan investments with the South Dakota Retirement System.
- **Asset Retirement Obligation (ARO)**—This is an estimated liability for costs associated with closing the SURF facility, if abandoning the site would ever occur. The ARO balance is \$1,129,638 and will be adjusted annually.
- **Total Liabilities**—Total Liabilities decreased by \$2,908,580 (from \$19,774,961 to \$16,866,381), which reflects the net activity listed above.
- **Total Equity**—increased to \$134,350,529 from the previous months \$119,823,249.
- **Total Liabilities & Equity**—Increased to \$151,216,910 from the previous month of \$139,598,209.

Statement of Income Items

- On the SDSTA's Statement of Income, the DOE Subcontracts are consolidated into one line on the report. Included in this amount are various subcontracts from LBNL, Fermi National Accelerator Laboratory (FNAL), the Cooperative Agreement with the DOE Office of Science, as well as a small contract for the MAJORANA project with the SDSM&T. Total revenue through April is \$29,678,849 (increase from March of \$2,715,214).
- State revenue received in April of \$13 million represents the appropriation from SB35 for the underground expansion phase 1.
- Interest income recorded for the current fiscal year on State Funds is at \$103,164. This represents interest accruing at 1% on the cash held by the state on behalf of the SDSTA.
- Direct Costs are then listed on the Statement of Income. The classifications for Unallowable Costs and Indirect Costs are listed as well on this report to follow the federal contracting format. Direct Costs/Unallowable Costs are at \$17,427,934 for the current fiscal year. Indirect Costs including fringe benefits are at \$15,420,622. Costs are lower than revenue by \$9,942,557.
- Other Income is at \$238,435 which primarily represents miscellaneous income received from TMI, scrap metal receipts, and amounts from Barrick.
- Miscellaneous Expenses and Donations is at 2,480,986 for current year fixed assets that were purchased on federal funds through the Cooperative Agreement, and sales at the SLHVC.
- Loss (Gain) on Sale of Fixed Assets is at \$2,534,142 for the current year and is primarily from the sale of Xenon.
- Net Income through April is at \$14,722,317.

Comparative Balance Sheet

- Total in Local Checking is lower by \$2,005,818 from this time last year.
- Total Cash with State Treasurer is higher by \$12,952,964 from this time last year as funds have been received from the State in SB35 as well as funds have been used for the Experiment funds for the xenon-related expenses and the receipt of the state's interest proration.
- Total Current Assets are higher than last year by \$10,889,992 primarily from the cash received from Senate Bill (SB) 35 for the underground expansion phase 1.
- Total Fixed Assets are higher by \$5,468,597 when comparing the two-time frames, particularly due to including the fixed assets purchased on the Cooperative Agreement federal funds primarily from finalizing the Yates Complex waterline, meter building, stench gas system, Water Treatment Filtration bldg, and tuckpointing & roof drain project. Also, included the recording of Work in Progress mainly for IIP projects.
- Asset Retirement Obligation Deferred Outflows is being reported for \$1,129,638.
- Pension Deferred Outflows is higher by \$7,107,857 due to fiscal year 2022 entries.
- In summary, Total Assets have increased by \$24,349,567.
- Total Current Liabilities are lower by \$696,693 when comparing the two-time frames. Total Current Liabilities is lower primarily due to Accounts Payable for the period being lower.

- Other Liabilities—LT Xenon Notes Payable has decreased by \$2,878,810 with the proceeds from the sale of a portion of Xenon being used to pay down the amount owed to the three foundations, the Pension Deferred Inflows has increased by \$5,832,228 for fiscal year 2022 and reporting an Asset Retirement Obligations of \$1,129,638.
- Total Restricted Funds are higher by \$14,146,070, primarily due to the entry of the Restricted SB35 Appropriation for the underground expansion phase 1.
- Investment in General Fixed Assets has increased by \$5,468,597 for the various additions of fixed assets and projects purchased on federal funds, and work in progress being reported.
- Unrestricted Funds are higher by \$1,348,537 when comparing the two-time frames.
- Total Equity has increased by \$20,963,204 from this time last year.
- In summary, Total Liabilities & Equity have increased by \$24,349,567.

Comparative Profit/Loss

- Total Revenue for year-to-date April 2023 compared to year-to-date April 2022 has increased by \$10,480,480. This increase is primarily due to the receipt of the SB35 appropriation, offset by a decrease in activity on DOE IIP contracts. Direct Costs and Indirect Costs for year-to-date April 2023 compared to this time last year show a combined decrease of \$770,269. Net Income/Loss for the comparative time periods shows a increase of \$13,636,223.

Available Resources

- This report reflects SDSTA's available cash/accounts receivable after noting the restricted cash balances in the Indemnification, Mine Closure, SB35 Appropriation, and funds held for Experiments—interest for investors. This report reflects available cash and (short term) accounts receivable as compared to current liabilities including accrued payroll liabilities. After noting current obligations, \$4,156,859 is available. It is also important to note that the accrued payroll liabilities include accrued vacation and sick pay. Therefore, the report reflects SDSTA's available resources compared to current obligations.

Operating Budget Analysis

- This report is separated into three sections: SDSTA-funded activities, Federal, State, and Commercial funded activities and Indirect expenses that benefit various activities. Total operating expenses are under budget for April by \$1,371.
- Year-to-date figures are under budget by \$2,061,224

Human Resources Status

Projects:

- Conducted first electronic open enrollment.
- Vetted and implemented new electronic compensation tool, Payscale.
- Successfully advocated for compensation adjustment for SDSTA Infrastructure Technicians.
- Conducted Employment Law Training for all People Leaders.
- Design succession planning and role transition process.
- Implemented Employee Referral Bonus.

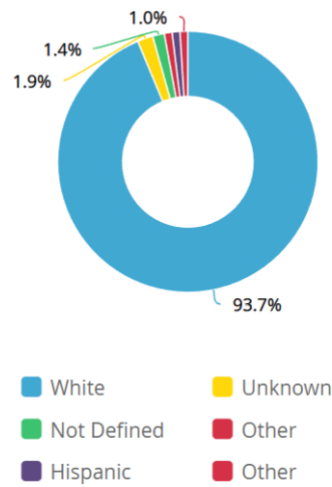
Hires: 11

Terms: 3

Data:

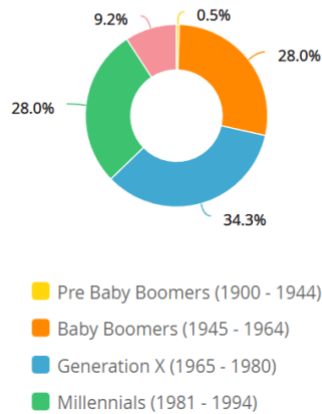
Headcount ⓘ 207 As of June 2023	Hired ⓘ 27	Termed ⓘ 10	Growth Rate ⓘ 8.9%	Turnover Rate ⓘ 4.8%	Average Tenure ⓘ 7.1 (Years)
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Ethnicity

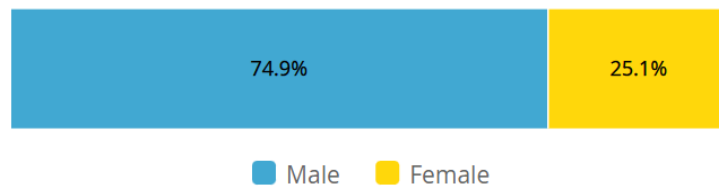


Generation

Current Trends



Gender (Legal)



Professional Staff Services – Subcontract No. 607915

Long-Baseline Neutrino Facility (LBNF) and Deep Underground Neutrino Facility (DUNE)

- The Engineering Team worked with Fermi Research Alliance (FRA)/Arup to get an updated electrical coordination study for equipment installed by FRA for LBNF construction and BSI. Information is needed to update the SURF coordination study.
- Electrical data was provided for the loads and protective devices on the 2.4kV Line #1 at the Ross Substation on May 1, 2023. This is needed for Arup to perform their corrected electrical study on the electrical service that also feeds the LBNF/DUNE construction.

LZ Operations Phase I – Subcontract No. 7525117

Other Experiment Support

LUX-ZEPLIN (LZ)

- LZ Xenon Circulation Compressor #2 annual rebuild is complete and ready to be put back into service.
- The auxiliary deionized water monitoring system has been built and mounted. It is in the process of being connected up to the full water purification system.

Indirect Funded Activities Status

Contracts Status

Department of Energy (DOE) subcontracts to SDSTA

US Department of Energy, Office of Science

- SDSTA submitted a request for construction funding for the *Yates Hoistroom Building Roof Replacement* (IIP Project).
- SDSTA submitted a request for construction funding for the *RBC Replacement at the Wastewater Treatment Plant*.
- SDSTA submitted and received a budget modification to move funds from equipment to operations.
- SDSTA received modifications No. 26 for the *Design Phase of the RBC Replacement at the Wastewater Treatment Plant* and No. 27 for *Incremental Funding*.

Fermi Research Alliance

- SDSTA received a Supplemental Agreement (SA) on contract No. 674969 *LBNF Logistics Support Services* for additional funding for Electrical Support Services (SA No. 8).
- SDSTA submitted a proposal for *General Support Services (Bull Gang)*.

South Dakota School of Mines and Technology (SD Mines)

- SDSTA received a Modification for additional funds for General Services on the *Majorana Demonstrator*.

Summary of Contracts Awarded by SDSTA March – May 2023

Contract No.	Contractor/Vendor	Type	Project
2023-03	Professional Mapping & Surveying	NEW	General Services - Surveying & Mapping
2020-16	Western States Fire Protection	CO#15	RFB - Surface Lab Fire Sprinkler Review
2017-13	Professional Mapping & Surveying	CO#13	Internal Change Order
2023-10	Rapid City Regional Airport	NEW	One Year Advertising Exhibit
2020-16	Western States Fire Protection	CO#14	Parts and Labor for New Jockey Pump for Surface Lab
2022-56	Machelle Vieux	NEW	FAC Member
2019-44	Ventilation Innovation	CO#04	Extend End Date to 9/30/23
2013-39	G.L. Tiley & Associates	CO#26	Extend One-year
2020-12	True Clean	CO#10	Add Scope and Funding
2023-11	JHK & Associates Consulting	NEW	ESHAC Member
2018-11	Safety-Kleen	CO#06	Add Funds
2019-05	Servall	CO#13	Add Funds and Update Service Manager
2013-12	Veolia	NEW	Hazardous Waste Transport, Treatment and Disposal
2022-48	Hydro Resources	CO#2	Modify Rigging
2019-39	North Central Supply	CO#9	Ross Dry Science Locks
2020-05	West Plains Engineering	TSK#5.2	Services During Construction
2019-28	Jacobs Welding & Machining	CO#34	ERT Tower Modifications
2022-47	Anderson Services	CO#1	Add Two Hoists Inspections
2020-16	Western States Fire Protection	CO#15	RFB - Surface Lab Fire Sprinkler Review
2022-20	Pantheon	CO#1	Web Hosting - Add funds for additional touchscreen
2022-37	Dialogue LLC	CO#14	Kick-off planning
2020-34	Stantec	CO#11	Extend end date
2023-13	Mile Up Marketing	NEW	Graphic Design Services
2023-15	Payscale	NEW	Annual Subscription for Services - 3 Year Contract

Contract No.	Contractor/Vendor	Type	Project
2023-16	TBD	NEW	Parking Lot and Roadway Seal
2017-38	Paradigm	CO#13	On-site Occupational Health Nurse - Extension
2023-02	ARUP	CO#01	Feasibility Study E&O Building
2022-14	Liesl Chatman	CO#01	SURF Strategic Advisory Committee (SSAC)
2022-13	Murdock Gilchriese	CO#01	SURF Strategic Advisory Committee (SSAC)
2020-35	Mid-Dakota Vegetation	CO#03	2023 Annual Services
2022-05	RCS	NEW	Access Control: Phase 2
2019-31	Wolff's Plumbing & Heating	CO#08	Yates Two Additional Toilets
2023-07	Safety-Kleen	NEW	Hazardous Waste Recycling
2022-20	Pantheon	CO#2	Web Hosting - upgrade SLHVC from 1 to 2 touchscreens
2017-38	Paradigm	CO#14	On-Site Occupational Health Nurse - Extension
2021-34	ATEN Design Group	CO#04	Rebranding, Logo and Style Guide
2023-17	Eric Zimmer	NEW	Sacred Garden Consulting Services
2022-33	RCS	TSK#5	Yates HR Roof Repairs
2023-18	AGC of South Dakota	NEW	Safety Evaluation Contract
2020-07	Avid4 Engineering	TSK#5.1	CA Services and Update Rates
2019-31	Wolff's Plumbing & Heating	CO#9	Additional Labor on Yates Toilet
2022-33	RCS	TSK#5.1	Additional Yates HR Roof Repairs
2020-16	Western States Fire Protection	CO#16	Annual Fire Extinguisher Inspections
2022-48	Hydro Resources	CO#3	Extend End Date 6.8.23
2017-38	Paradigm	CO#15	End Date Extension to 06-30-23
2016-25	GEI Consultants Inc	CO#09	Aquatic Monitoring
2021-23	ATEN	CO#05	DRUPAL Website Development and Maintenance
2023-13	Mile Up Marketing	CO#01	Graphic Design Services

Purchase Orders (POs): 611 POs were issued March 1 – May 31 totaling **\$967,943.25**.

Warehouse Inventory: Warehouse inventory as of May 31, 2023 totaled **\$293,731.79**.

Inclusion, Diversity, Equity and Access (IDEA) Status

- IDEA is working with Communications to host Red Cloud Renewable, a non-profit located in the Pine Ridge Indian Reservation dedicated to renewable energy training, at Neutrino Day. Chief Henry Red Cloud will be featured as a speaker and will discuss Red Cloud Renewable's history and efforts in solar energy.
- The IDEA Office is reframing its leadership trainings following feedback received from attendees. Adjustments under consideration include the frequency of the trainings, and a variety of opt-in options available to all staff.
- IDEA is continuing its book study of The Lakotas and the Black Hills by Jeffrey Ostler with Communications, Education and Outreach, and the Sanford Lab Homestake Visitor Center (SLHVC).
- IDEA convened the fourth meeting of the Star Knowledge Working Group. The group continued discussions around long-term planning for events related to Native ways of knowing.
- The IDEA Office has begun brainstorming sessions for programming for the Sacred Circle Garden. Suggestions for programming will be reviewed and approved by the Cangleska Wakan Working Group.
- IDEA is continuing its work with the Diversity, Equity and Inclusion (DEI) team at SNOLAB to develop a paper for Frontiers in Physics regarding best practices in DEI.
- The IDEA Office began its Lunch and Learn series with a presentation from ERT staff. The next Lunch and Learn will be held in August with the Communications Department presenting on Brand Ambassadorship.

- Construction of the Sacred Circle Garden is slated to begin at the end of June, and a Kick-off event will be held to provide updates on the Garden in late August.
- IDEA is working with the SLHVC to update materials for public education, including the trolley script.
- Coffee breaks continue at SURF. In June, a collaborative coffee break will be hosted by Communications, the SURF Foundation and the SLHVC.
- IDEA visited Sitting Bull College to learn more about their work, including their environmental science program, collaboration with NASA, public outreach through their visitor center. IDEA is continuing to build upon that relationship and make connections for collaborative work.
- The IDEA Office, E&O Team, and colleagues from the Center for the Advancement of Math & Science Education (CAMSE) are collaborators on the Cultivating Indigenous Research Communities for Leadership in Education and STEM (CIRCLES) Alliance, a National Science Foundation (NSF) Grant geared at increasing Indigenous STEM education opportunities. South Dakota is working closely with the North Dakota team on developing a library of Indigenous Based STEM curricular resources and continuing education opportunities for teachers. The annual in-person meeting of the CIRCLES Alliance will be in South Dakota this fall.
- IDEA is working with the Communications Department to update both the Cangleska Wakan (Sacred Circle) Garden and Cultural Awareness videos.

Education and Outreach (E&O) Status

K-12 Education and Outreach

Curriculum units

- In March through May 2023, 13 curriculum units were utilized in districts in South Dakota, North Dakota, and Wyoming, impacting the science learning of 442 students.

Field trips (onsite)

- During Spring 2023 field trip season (March – May), the E&O team hosted field trips with 19 school groups from South Dakota and Wyoming. The field trips included 727 students along with their teachers and chaperones.
- Requests continue to come from school groups and are being scheduled for Fall 2023 field trips.

Classroom presentations

- In March through May 2023, presentations have been made in 19 school districts in South Dakota, serving 2,074 students.
- The E&O Team has also been working to support many local schools with their family STEM nights and career fairs. In March through May 2023, 11 school districts were served, reaching 951 students and their families.

Professional Development (PD)

- In March and May 2023, Science Education Specialist Julie Dahl and E&O Director Nicol Reiner worked with all elementary school teachers in Lead-Deadwood School District to strengthen their science teaching strategies and kick-off the school's plan to write enhanced K-5 science lessons. These lessons will be paired with SURF curriculum units and shared with elementary teachers across the state.
- During the Spring Semester (January – May), the E&O team offered two online courses through Black Hills State University (BHSU) to support 20 K-12 educators in using engagement strategies in science and mathematics.
- In March 2023, Nicol helped facilitate a computational thinking workshop for elementary educators through an Elementary Computer Science grant in partnership with BHSU.
- In April, E&O team members facilitated an elementary science teacher workshop at Crazy Horse Memorial in collaboration with SD Established Program to Stimulate Competitive Research (EPSCoR) for a group of 28 elementary science educators.

Undergraduate

- Pre-service educators from BHSU were on-site in March for a Yates hoistroom tour, engineering activity and discussion about best practices in the classroom for high quality science learning experiences.
- In March and April 2023, Julie and Science Education Specialist Ashley Armstrong worked with pre-service educators (58 from University of South Dakota and 34 from Northern State University) to explore a SURF curriculum unit and talk about best practices in science teaching.

- The E&O team is hosting three pre-service educators (two from BHSU and one from South Dakota State University (SDSU)) for 10-week summer internships that started in May. Funding for the BHSU interns is provided by SD EPSCoR.

Other

- E&O Science Education Specialists Chad Ronish and Ashley presented three sessions about SURF and science education at the National Science Teachers Association (NSTA) conference in Atlanta in March 2023.
- In April 2023, Chad attended the American Association of Physics Teachers conference and presented a session on SURF's education resources and supports for teachers.
- In May and in partnership with Quarknet, Chad and Diversity, Outreach & Culture Coordinator Emily Berry facilitated a student data workshop at Cheyenne-Eagle Butte High School for their science students.
- Chad, supported by Quarknet, held a "Girls in Science" day at SURF. Attending were groups of girls from Stagebarn Middle School (Rapid City), Timberlake, Lower Brule, Hill City, and Newcastle (WY). The Saturday agenda included mentoring, learning about neutrinos, data analysis, a Yates hoistroom tour and discussion about maintaining engagement in STEM.
- In May, Chad and Julie made presentations and engaged with students at the Women In Science Conference for middle school girls at BHSU.
- Nicol and Outreach and Culture Director Deb Wolf attended the Faculty Development workshop at BHSU with science and math faculty to continue to build relationships, learn together and offer support in effective science teaching practices.
- Refer to Table 1 below for the annual numbers from fiscal year 2016 to present.

Table 1. K-12 Students: Fiscal year final numbers (July 1 – June 30)

	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023*
Curriculum Units	934	3504	2286	3598	3236	3384	3718	2554
Presentations	8734	8157	6304	6704	3704	2005	14038	12799
Field trips	595	660	796	1117	254	58	485	954
Other	10	891	825	1055	918	298	1468	1596
Total	10273	13212	10211	12474	8112	5745	19709	17903

*Numbers include data from July 1, 2022 – May 30, 2023.

Communications Status

- Led the effort to develop the brand, logo and website for the Institute for Underground Science at SURF.
- As part of SDSTA's statewide outreach efforts, art depicting science and excavation was installed at the Rapid City Airport; promotional materials will be up in June.
- Created first draft of a paper for Frontiers in Physics, special underground labs edition.
- Covered the first results of tantalum-180m experiment.
- Coordinated with the Washington Pavilion to announce SURF sponsorship; attended the press conference in Sioux Falls.
- Creating content for the Washington Pavilion Immersive Water Experience exhibit, which will open in July.
- Two team members attended a virtual reality conference.
- Presented at Women in Science conference at SD Mines and BHSU, combined 125 attendees.
- Provided communications training to SLHVC staff.
- Created new SLHVC rack cards for distribution across the state.
- Provided LinkedIn training for SURF Executive Leadership team.
- In conjunction with SLHVC, Communications continues to identify third-party travel resources hosting tourism-related content to ensure accurate information is available to visitors.
- Work continues to progress on the new SURF website and rebrand.
- Kiosks for SLHVC are in operation.

Community Outreach/Media/Site Visits/Presentations

- Coordinated three Deep Talks events combined 241 attendees: Caterpillar (March 9), Mike Headley (April 13), Buzz in Bees (May 11).
- Dakota Wesleyan University, Deb Wolf and Nicol Reiner, March 28.
- SD Mines Lunch and Learn, Mike Headley, April 20.
- National Guard conference, Will McElroy, Jake Davis, at SURF, April 21
- Launch of Steven Mitchell's new book, *The Riches of our Universe*, April 22; coordinated book signing at SLHVC with staff.

Upcoming Community Outreach/Media/Site Visits/Presentations

- Roads Scholars presentations: June 11, Sept.
- Neutrino Day kickoff, July 7, 2023, SLHVC.
- Neutrino Day, July 8, 2023; locations throughout Lead.
- Washington Pavilion ribbon cutting and SURF Day with SURF staff in Sioux Falls, July 21-22.
- TAUP Vienna science outreach presentation, Constance Walter, August 28-September 1, 2023.

Video, Web, Graphics

- Communications continues to create new video and animations to illustrate articles that are used on a variety of platforms, including social media, PowerPoint Presentations, and the website.
- General web maintenance, digital signage content; media assistance to science collaborations and educational institutions are ongoing.

Photos of recent events/milestones are included as Appendix A.

News Coverage

- [SURF sponsors immersive water exhibit at Washington Pavilion](#), Dakota News Now, May 24, 2023
- [Excavating giant caverns in the Black Hills](#), SDPB, May 17, 2023
- [Searching for the matter that hides its shine](#), Symmetry Magazine, May 16, 2023
- [LBNF excavation at Sanford Lab on schedule for June 2024](#), Black Hills Pioneer, May 13, 2023
- [Celebrating Science: A New Logo & Identity for Sanford Lab's Annual Science Festival](#), Aten News, April 20, 2023
- [Lab partners with local author for historical book about Homestake, SURF development](#), Black Hills Pioneer, April 22, 2023
- [Lead-Deadwood Schools receive \\$67,000 grant in partnership with Sanford Underground Research Facility](#), Rapid City Journal, April 11, 2023
- [Noem approves \\$13M for SURF expansion](#), Black Hills Pioneer, March 25, 2023
- [First WIMP Search Results from the XENONnT Experiment](#), Gran Sasso National Laboratory News, March 22, 2023

Information Technology Status

Projects

- Outdated software "Silverlight" was removed from IT servers; discussions were held to remove it site-wide.
- Conference Room familiarization trainings were completed for new audio/video equipment installed in the conference rooms
- Created a server POC registry, and server onboarding checklist, to go with the new Onboarding New Windows Server work instruction.
- Created work instructions for onboarding a new server to Veeam backup and recovery, and a work instruction for restoring data using Veeam backup and recovery.
- AVI upgrades to the E&O large conference room, 2nd floor vault and SLHVC conference rooms 90% completed.
- Configured new unipoint server and setup 30+ users with uniPoint application.
- Upgraded SQL server from 2014 to 2019, enabling SDSTA to move forward with OSPinsight, and decrease server vulnerabilities due to old software.
- Installed SQL 2019 Reporting services and migrated reports.

Daily Activities

In addition to work order activity, IT monitors and reviews wireless and general network activity and counts, network hardware readiness, VPN Remote Access logs, Firewall logs, and establishes new VPN and DocuShare accounts for individuals and user groups, as requested.

March – May 2023 Events

- The Administrative Services team registered 509 visitors from March 1 to May 31, a steady incline through spring. Access badge requests continued to be processed and monthly badging reports distributed.
- The Visitor Registration Monthly Reports were submitted electronically to the SD Fusion Center/Homeland Security utilizing the SURF database reporting tool.
- The Monthly SURF Foreign National Visits Reports and Restricted Party Screening Audits were generated and distributed.

Number of New Visitors, Users and Contractors On-Site



Administrative Services Activities

- Work continued with the following: Purchase orders invoiced and closed in ManagerPlus; monthly office supply orders received and sorted; access badges created; monthly reports uploaded to DocuShare; breakroom and espresso machine regularly cleaned; conference rooms scheduled; researcher hours tracked; safety waivers witnessed; and visitors registered into the database.
- Administrative Services Manager Mandy and Administrative Assistant Ashley Hansen continued working on Integrated Management System (IMS) document conversion along with new work instructions and registers—95% complete; participated in Neutrino Day planning committee meetings for the July 7 kickoff and July 8 full-day event; sent 150+ invitations for the CETUP* and continued to work on additional logistics for the summer workshop to be held in Lead, June 18-July 14; continued to prepare for the upcoming LZ Collaboration meeting and LZ Analysis workshop to be held at SURF and SLHVC, June 26-30. Assistance continued with the coordination of office moves and furniture procurement. In May, Ashley worked with QA/QC to perform an audit on Underground Operations Department. She is also a new member of the SDSTA Working Wellness Group.
- Events and meetings onsite have steadily increased through the spring. The Administrative Services team provided logistical support for the following:
 - Mar 2 – CAT site visit
 - Mar 7 – DOD/NAVINT site visit
 - Mar 16 – SDSTA Board Meeting; SURF Foundation Board Meeting
 - Mar 21-23 – ISD/ESH site visit
 - Mar 22 – Hazwoper Training
 - Mar 23 – Business Services Team Coffee Break
 - Mar 27-28 – DOE site visit hosted by FRA/LBNF
 - Mar 30-31 – DUNE Resource Review Board (RRB)
 - Apr 4 – EOS Quarterly Planning Summit
 - Apr 6 – SURF All Hands
 - Apr 11 & 13 – CAT site visit
 - Apr 12 – WWTP Rotating Biological Contactors Replacement site visit
 - Apr 13, 18-21 & 26 – School site visits

- Apr 13 – Fit for Duty Workshop; CAT site visit
- Apr 19 & 20 – Facility Advisory Committee (FAC) Meeting
- Apr 21 – EmpowerED (Rapid City) visit; SLHVC National Guard visit and Yates Hoistroom tour
- Apr 25 – HR/IDEA Team Coffee Break
- May 3 & 4 – School site visits
- May 9, 11 & 24 – CAT site visit
- May 13 – Quarknet/Women in Science site visit
- May 26 – SD Mines geology field camp students site visit

Mandy continued to assist the SURF Foundation Director Michelle Kane, as needed. The new Foundation Support Specialist, April Yenglin was hired in May and is in the training process. The SDSTA Board of Directors quarterly meeting was held on March 16, 2023 in addition to a Telephonic Special meeting on June 6. All Board materials and meeting minutes were posted to the Boards & Commissions portal. Preparations began for the annual meeting on June 22. Several SDSTA Policies were updated and reviewed by legal counsel Tim Engel and Aaron Scheibe; policies will be submitted for consideration at the June board meeting. Planning began for the next Entrepreneurial Operating System (EOS) annual two-day summit with Consultant Mike Roth to be held at BHSU on July 11-12, 2023.

SANFORD LAB HOMESTAKE VISITOR CENTER

Sanford Lab Homestake Visitor Center (SLHVC) Status

Outreach and Programming

- May brought Road Scholars, bus tours and the start of trolley tours. The SLHVC welcomed over 2,000 visitors the week of May 22-28 alone.
- Throughout March, April, and May, Deep Talks and Ask a Scientist events were held.
 - In conjunction with the April Deep Talks, the SLHVC also hosted the Lead Chamber Mixer.
- The Education and Outreach team partnered with the SLHVC as part of their spring field trip planning, including time for an exhibit scavenger hunt as a part of the experience.
- The IDEA team and the SLHVC are collaborating on updating the SLHVC's public facing materials, including the trolley tour script and website information.
- The SLHVC has been utilized for a wide variety of community-oriented events, including Peggy Norris's presentation "Tales of the Southern Ocean: Following in the Footsteps of Shackleton," the Lead Fire Department annual banquet, Lead City Commission elections, Fermilab community meetings and a graduation party for a Lead-Deadwood High School senior.
- The SLHVC celebrated National Travel and Tourism Week May 7-13 with in-store discounts, special docent tours and a social media campaign.

Updates

- The SLHVC became an officially recognized member of the Association for Science and Technology Centers.
- Steven Mitchell's *The Riches of Our Universe* was released.
 - Well-attended book signing event on Saturday, April 22.
 - Book remains a top selling item.
 - First wholesale order has occurred.
 - Working on developing online ordering, as book can be shipped.
- Back classroom painting and AVI updates have been completed.
- Seasonal team members for the SLHVC have been hired.
- Neutrino Day merchandise utilizing the new logo has been designed and is in stock.

SURF FOUNDATION
501(c)(3)

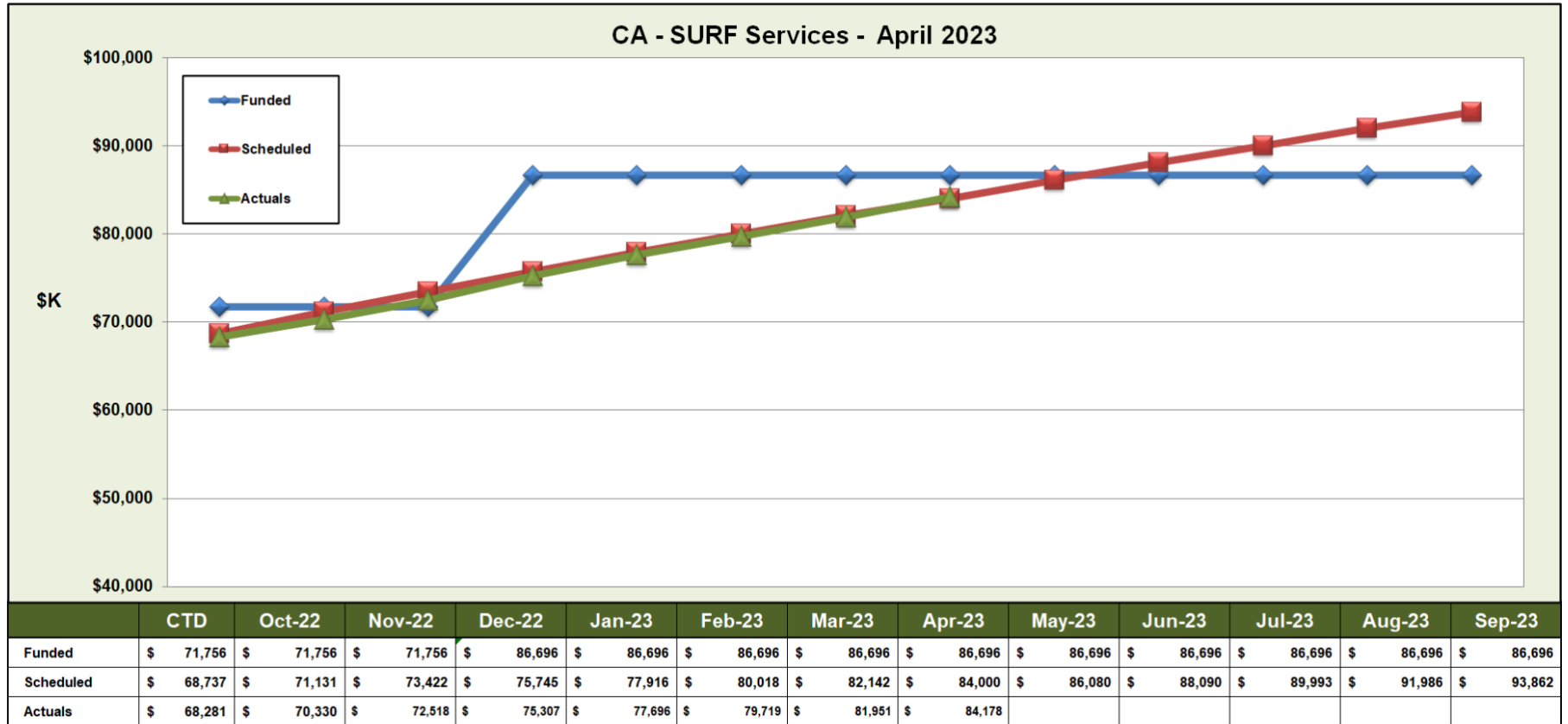
SURF Foundation Status

Work Accomplishments

- Establishment of The Institute
 - Collaborated with Elizabeth Freer of dialogue LLC to get up to speed on The Institute's scope documents and initiate fundraising strategy discussions.
 - Teamed up with the SDSTA and Aten Design Group for the creation, composition and refinement of The Institute's web pages and branding.
 - Coordinated with SDSTA and Arup for the creation of an Institute visioning video.
 - Developed the job description for the Institute Program Manager.
 - Participated in the planning activities of CETUP* 2023, set to begin on June 19, marking a soft launch for The Institute. This involved networking with internal partners, creating promotional materials (swag), and arranging a meet-and-greet lunch with SDSTA Board/Foundation Board/CETUP* scheduled for June 22.
- Progress of the Sacred Circle Garden Project
 - Continually working on strategic messaging and identifying potential grants in collaboration with the SURF IDEA team and an external consultant.
 - As of April 2023, \$708,579.79 was raised (including the \$125,000 contribution from the SDSTA), out of which \$66,466.83 has been spent, leaving a remaining fund of \$642,112.96 (restricted).
 - Garden construction by RCS is set to commence by the end of June.
 - Proposal for partnership for a Native arts installation and construction of phase 2 assembly area presented, with grant submission underway.
 - Garden Kick-Off event scheduled for August 22 at the Sanford Lab Homestake Visitor Center.
- Sponsorship Coordination for 2023 Neutrino Day—A total of \$19,000 (including grants listed below) has been raised for sponsorships.
- Outreach and Public Affairs Activities
 - Engaged in various outreach activities with multiple organizations, including South Dakota Small Business Administration, Sioux Falls Start-Up, Rapid City Cosmopolitan Club, SD CEO Women in Leadership Summer Series, Elevate Rapid City and more.
 - Participated in several board meetings and conferences.
- Continuing Education
 - Ongoing training in project management tools, donor database, and SURF's internal training and management platforms.
 - Actively building and maintaining relationships with current donors.
- Grants Received
 - A grant of \$25,000 from John T. Vucurevich Foundation was received to support SURF's teacher professional development program.
 - A \$10,000 grant from Black Hills Energy was received for the sponsorship of Neutrino Day.
 - A \$2,500 grant from Monument Health was received for the sponsorship of Neutrino Day.

APPENDIX

**Business Services Department
Appendix A**



DOE SDSTA Fiscal Year 2023 SPA Curve

Financial Summaries April 2023 - Appendix B

REPORT DATE 5/13/2023

SOUTH DAKOTA SCIENCE & TECHNOLOGY

13:00

PAGE 0001

DIVISION: ALL

BALANCE SHEET

ASSETS

AS OF
04/30/23

CURRENT ASSETS

First Interstate Checking	\$	3,633,324.54
Total in Local Checking		3,633,324.54
SD Treas: Indemnification		7,500,000.00
SD Treas: Mine Closure		1,533,566.14
SD Treas: Operating		1,386,598.52
SD Treas: SB35 Appropriation		13,000,000.00
SD Treas: Experiments		613,780.19
Total with SD Treasurer		24,033,944.85
Billed A/R		1,447,617.94
Unbilled A/R		1,004,743.93
Other A/R		388,979.99
Inventory - Supplies		3,150,678.11
Inventory - Warehouse		439,444.50
Other Current Assets		1,511,672.16
Total Current Assets		35,610,406.02

FIXED ASSETS

Land, Underground & Other		12,743,473.13
Bldgs & Infrastructure		19,321,800.42
Improvements		62,813,135.62
Work in Progress		4,026,307.26
Computer Equipment		381,499.81
Equipment & Fixtures		10,705,072.13
DOE Property Transfer		8,692,069.01
Accum Depr & Amort		(23,298,236.86)
DOE Prop. Accum Deprec.		(839,756.75)
Total Fixed Assets		94,545,363.77

OTHER ASSETS

Asset Retirement Obligation Deferred Outflows		1,129,637.92
Pension Deferred Outflows		11,243,668.96
Xenon Purchased		8,687,833.46
Total Other Assets		21,061,140.34

TOTAL ASSETS

\$ 151,216,910.13

DIVISION: ALL

BALANCE SHEET

LIABILITIES & EQUITY

		AS OF 04/30/23

CURRENT LIABILITIES		
Accounts Payable	\$	926,362.37
Other Payables		810.56

Total Accounts Payable		927,172.93
Accrued Payroll Liab		2,388,253.37

Total Current Liabilities		3,315,426.30
OTHER LIABILITIES		
LT Xenon Notes Payable		3,121,190.01
Pension Deferred Inflows		9,300,127.02
Asset Retirement Obligation		1,129,637.92

Total Other Liabilities		13,550,954.95
EQUITY		
Restricted: Indemnificati		7,500,000.00
Restricted: SB35 Appropriation		13,000,000.00
Restricted: Mine Closure		1,533,566.14
Restricted: Pension		1,943,541.94
Restricted: Experim. Int.		613,780.19
Restricted: Foundation		-

Total Restricted Funds		24,590,888.27
Investment in Gen FA		94,545,363.77
Unrestricted Funds		15,214,276.84

Total Equity		134,350,528.88
		=====
TOTAL LIABILITIES & EQUITY	\$	151,216,910.13
		=====

ALL

STATEMENT OF INCOME

FOR THE PERIOD ENDING 4/30/2023

YR-TO-DATE

REVENUE

DOE Subcontracts	\$ 29,678,848.89
State Revenue	13,000,000.00
Checking Interest	9,100.13
Interest Income	103,164.21

TOTAL REVENUE

42,791,113.23

DIRECT COSTS

Direct Labor	7,683,910.64
Board of Directors	37,035.74
Capital Outlay >\$5K	2,790,513.95
Contractual Svcs	2,305,119.56
Inventory	278,012.87
Supplies	1,565,314.77
Travel - Domestic	69,827.06
Travel - Foreign	7,726.44
Utilities	2,071,059.18
Other Direct Costs	198,081.36
Unallow/Unbill Costs	421,332.01

TOTAL DIRECT COSTS

17,427,933.58

INDIRECT COSTS

Fringe Benefits	6,199,067.40
Overhead	9,221,555.04

TOTAL INDIRECT COSTS

15,420,622.44

GROSS PROFIT/LOSS ()FROM OPERATIONS

9,942,557.21

OTHER INCOME

Water Treatment	100,304.86
Miscellaneous Income	62,796.77
Other Operating Income	75,333.57

TOTAL OTHER INCOME

238,435.20

OTHER EXPENSES

Misc. Expenses & Donations	(2,480,985.74)
Loss (Gain) on Sale of FA	(2,534,142.46)
Other Unallowable Expense	328,364.75
Reclass Incr Net Assets	145,438.46

TOTAL OTHER EXPENSES

(4,541,324.99)

NET INCOME/LOSS ()

\$ 14,722,317.40

DIVISION: ALL

COMPARATIVE BALANCE SHEET

ASSETS

	AS OF 04/30/23	AS OF 04/30/22	\$ CHANGE	% CHANGE
CURRENT ASSETS				
First Interstate Checking	\$ 3,633,324.54	\$ 5,639,142.29	\$ (2,005,817.75)	-35.57%
First Interstate Other	-	-	-	0.00%
	-----	-----	-----	-----
Total in Local Checking	3,633,324.54	5,639,142.29	(2,005,817.75)	-35.57%
SD Treas: Indemnification	7,500,000.00	7,500,000.00	-	0.00%
SD Treas: Mine Closure	1,533,566.14	1,520,425.48	13,140.66	0.86%
SD Treas: Operating	1,386,598.52	1,304,075.96	82,522.56	6.33%
SD Treas: SB35 Appropriation	13,000,000.00	-	13,000,000.00	100.00%
SD Treas: Experiments	613,780.19	756,479.22	(142,699.03)	-18.86%
	-----	-----	-----	-----
Total with SD Treasurer	24,033,944.85	11,080,980.66	12,952,964.19	116.89%
Billed A/R	1,447,617.94	2,110,973.52	(663,355.58)	-31.42%
Unbilled A/R	1,004,743.93	822,616.17	182,127.76	22.14%
Other A/R	388,979.99	307,502.47	81,477.52	26.50%
Inventory - Supplies	3,150,678.11	3,250,470.21	(99,792.10)	-3.07%
Inventory - Warehouse	439,444.50	313,030.56	126,413.94	40.38%
Other Current Assets	1,511,672.16	1,195,697.88	315,974.28	26.43%
	-----	-----	-----	-----
Total Current Assets	35,610,406.02	24,720,413.76	10,889,992.26	44.05%
FIXED ASSETS				
Land, Underground & Other	12,743,473.13	12,743,473.13	-	0.00%
Bldgs & Infrastructure	19,321,800.42	19,386,433.19	(64,632.77)	-0.33%
Improvements	62,813,135.62	62,813,135.62	-	0.00%
Work In Progress	4,026,307.26	-	4,026,307.26	100.00%
Computer Equipment	381,499.81	354,677.81	26,822.00	7.56%
Equipment & Fixtures	10,705,072.13	11,144,536.79	(439,464.66)	-3.94%
DOE Property Transfer	8,692,069.01	4,675,195.41	4,016,873.60	85.92%
Accum Depr & Amort	(23,298,236.86)	(21,594,014.72)	(1,704,222.14)	7.89%
DOE Prop. Accum Deprec.	(839,756.75)	(446,670.05)	(393,086.70)	88.00%
	-----	-----	-----	-----
Total Fixed Assets	94,545,363.77	89,076,767.18	5,468,596.59	6.14%
OTHER ASSETS				
Asset Retirement Obligation Deferred Outflows	1,129,637.92	-	1,129,637.92	100.00%
Pension Deferred Outflows	11,243,668.96	4,135,812.00	7,107,856.96	171.86%
Xenon Purchased	8,687,833.46	8,934,350.39	(246,516.93)	-2.76%
	-----	-----	-----	-----
Total Other Assets	21,061,140.34	13,070,162.39	7,990,977.95	61.14%
	=====	=====	=====	=====
TOTAL ASSETS	\$ 151,216,910.13	\$ 126,867,343.33	\$ 24,349,566.80	19.19%
	=====	=====	=====	=====

DIVISION: ALL

COMPARATIVE BALANCE SHEET

LIABILITIES & EQUITY

	AS OF 04/30/23	AS OF 04/30/22	\$ CHANGE	% CHANGE
CURRENT LIABILITIES				
Accounts Payable	\$ 926,362.37	\$ 1,589,368.50	(663,006.13)	-41.72%
Other Payables	810.56	49,775.81	(48,965.25)	-98.37%
	-----	-----	-----	-----
Total Accounts Payable	927,172.93	1,639,144.31	(711,971.38)	-43.44%
Accrued Payroll Liab	2,388,253.37	2,372,975.42	15,277.95	0.64%
	-----	-----	-----	-----
Total Current Liabilities	3,315,426.30	4,012,119.73	(696,693.43)	-17.36%
OTHER LIABILITIES				
LT Xenon Notes	3,121,190.01	6,000,000.00	(2,878,809.99)	-47.98%
Pension Deferred Inflows	9,300,127.02	3,467,898.62	5,832,228.40	168.18%
Asset Retirement Obligation	1,129,637.92	-	1,129,637.92	100.00%
	-----	-----	-----	-----
Total Other Liabilities	13,550,954.95	9,467,898.62	4,083,056.33	43.13%
	-----	-----	-----	-----
TOTAL LIABILITIES	16,866,381.25	13,480,018.35	3,386,362.90	25.12%
EQUITY				
Restricted: Indemnificati	7,500,000.00	7,500,000.00	-	0.00%
Restricted: SB35 Appropriation	13,000,000.00	-	13,000,000.00	100.00%
Restricted: Mine Closure	1,533,566.14	1,520,425.48	13,140.66	0.86%
Restricted: Pension	1,943,541.94	667,913.38	1,275,628.56	190.99%
Restricted: Experim. Int.	613,780.19	756,479.22	(142,699.03)	-18.86%
Restricted: Foundation	-	-	-	0.00%
	-----	-----	-----	-----
Total Restricted Funds	24,590,888.27	10,444,818.08	14,146,070.19	135.44%
Investment in Gen FA	94,545,363.77	89,076,767.18	5,468,596.59	6.14%
Unrestricted Funds	15,214,276.84	13,865,739.72	1,348,537.12	9.73%
	-----	-----	-----	-----
TOTAL EQUITY	134,350,528.88	113,387,324.98	20,963,203.90	18.49%
	=====	=====	=====	=====
TOTAL LIABILITIES & EQUITY	\$ 151,216,910.13	\$ 126,867,343.33	\$ 24,349,566.80	19.19%
	=====	=====	=====	=====

COMPARATIVE STATEMENT OF INCOME

FOR THE PERIOD ENDING 4/30/23

	YEAR TO DATE	PRIOR YEAR TO DATE	\$ CHANGE	% CHANGE
REVENUE				
DOE Subcontracts	\$ 29,678,848.89	\$ 32,215,958.53	\$ (2,537,109.64)	-7.88%
State Revenue	13,000,000.00	-	13,000,000.00	100.00%
Checking Interest	9,100.13	1,726.60	7,373.53	427.05%
Interest Income	103,164.21	92,948.15	10,216.06	10.99%
	-----	-----	-----	-----
TOTAL REVENUE	42,791,113.23	32,310,633.28	10,480,479.95	32.44%
DIRECT COSTS				
Direct Labor	7,683,910.64	7,606,035.75	77,874.89	1.02%
Board of Directors	37,035.74	6,698.80	30,336.94	452.87%
Capital Outlay >\$5K	2,790,513.95	3,581,639.47	(791,125.52)	-22.09%
Contractual Svcs	2,305,119.56	3,771,276.11	(1,466,156.55)	-38.88%
Inventory	278,012.87	236,954.38	41,058.49	17.33%
Supplies	1,565,314.77	1,838,859.91	(273,545.14)	-14.88%
Travel - Domestic	69,827.06	40,078.28	29,748.78	74.23%
Travel - Foreign	7,726.44	-	7,726.44	100.00%
Utilities	2,071,059.18	2,030,840.00	40,219.18	1.98%
Other Direct Costs	198,081.36	164,951.58	33,129.78	20.08%
Unallow/Unbill Costs	421,332.01	214,124.74	207,207.27	96.77%
	-----	-----	-----	-----
TOTAL DIRECT COSTS	17,427,933.58	19,491,459.02	(2,063,525.44)	-10.59%
INDIRECT COSTS				
Fringe Benefits	6,199,067.40	5,940,825.72	258,241.68	4.35%
Overhead	9,221,555.04	8,186,542.18	1,035,012.86	12.64%
	-----	-----	-----	-----
TOTAL INDIRECT COSTS	15,420,622.44	14,127,367.90	1,293,254.54	9.15%
	-----	-----	-----	-----
GROSS PROFIT/LOSS ()	9,942,557.21	(1,308,193.64)	11,250,750.85	517.81%
	-----	-----	-----	-----
OTHER INCOME				
Water Treatment	100,304.86	184,899.76	(84,594.90)	-45.75%
Miscellaneous Income	62,796.77	126,674.85	(63,878.08)	-50.43%
Other Operating Income	75,333.57	190,395.72	(115,062.15)	-60.43%
	-----	-----	-----	-----
TOTAL OTHER INCOME	238,435.20	501,970.33	(263,535.13)	-52.50%
OTHER EXPENSES				
Misc. Expenses & Donations	(2,480,985.74)	(7,008,848.20)	4,527,862.46	-64.60%
Loss (Gain) on Sale of FA	(2,534,142.46)	(3,600.29)	(2,530,542.17)	70287.18%
Other Unallowable Expense	328,364.75	270,548.05	57,816.70	21.37%
Reclass Incr Net Assets	145,438.46	4,849,582.96	(4,704,144.50)	-97.00%
	-----	-----	-----	-----
TOTAL OTHER EXPENSES	(4,541,324.99)	(1,892,317.48)	(2,649,007.51)	139.99%
	=====	=====	=====	=====
NET INCOME/LOSS ()	\$ 14,722,317.40	\$ 1,086,094.17	\$ 13,636,223.23	1255.53%
	=====	=====	=====	=====

South Dakota Science & Technology Authority
Available Resources
4/30/2023

Cash Total Checking	\$ 3,633,325
Cash With State Treasurer	<u>\$ 24,033,945</u>
Total Cash	\$ 27,667,269
Less: Restricted Funds	
Indemnification/Mine Closure	\$ (9,033,566)
SB35 Appropriation	\$ (13,000,000)
Experiments (Xenon, Interest, Infrastructure)	<u>\$ (613,780)</u>
 Total Cash Available for Infrastructure Upgrades and Authority Operations	 \$ 5,019,923
Plus: Accounts Receivable Billed	\$ 1,447,618
Accounts Receivable Unbilled	\$ 1,004,744
Less: Current Liabilities (Accounts Payable & Accrued Payroll)	\$ (3,315,426)
 Available Cash and Receivables	 <u><u>\$ 4,156,859</u></u>

SDSTA Operating Budget Summary FY2023

Actual vs Budget
April 2023 & YTD

	April 2023	Budget	\$ Over/Under Budget	% of Budget	Actual YTD	YTD Budget	\$ Over/Under Budget	% of Budget	% Remaining
									100%
SDSTA (Authority) Direct Charges									
Board of Directors	\$22,640.00	\$29,749.00	\$7,109.00	76.1%	\$223,464.00	\$297,497.00	\$74,033.00	75.11%	24.89%
Executive Office	\$125,899.00	\$112,087.00	-\$13,812.00	112.32%	\$768,570.00	\$912,488.00	\$143,918.00	84.23%	15.77%
Science Center E & O	\$6,417.00	\$4,000.00	-\$2,417.00	160.43%	\$96,115.00	\$121,500.00	\$25,385.00	79.11%	20.89%
Science Liaison	-\$795.00	\$0.00	\$795.00	100.0%	\$886.00	\$0.00	-\$886.00	100.00%	0.00%
SLHVC (Visitor Center)	\$43,046.00	\$46,409.00	\$3,363.00	92.75%	\$502,111.00	\$636,861.00	\$134,750.00	100.00%	0.00%
Subtotal	\$197,207.00	\$192,245.00	-\$4,962.00	102.58%	\$1,591,146.00	\$1,968,346.00	\$377,200.00	80.84%	19.16%
Federal/State Funding - Direct Charges									
Fermi C#671265 Prof. St.Services	\$9,486.00	\$5,000.00	-\$4,486.00	189.72%	\$88,955.00	\$50,000.00	-\$38,955.00	177.91%	-77.91%
Fermi C#685922 Op Serv Support	\$0.00	\$0.00	\$0.00	0.0%	\$0.00	\$0.00	\$0.00	0.00%	100.00%
Fermi C#674969 Ross Logist.Supp.	\$237,711.00	\$250,000.00	\$12,289.00	95.08%	\$2,347,136.00	\$2,500,000.00	\$152,864.00	93.89%	6.11%
Fermi Misc. Contracts	\$0.00	\$0.00	\$0.00	0.0%	\$0.00	\$0.00	\$0.00	0.00%	100.00%
Office of Science Coop.Agree	\$1,489,880.00	\$1,235,343.00	-\$254,537.00	120.61%	\$13,934,235.00	\$13,887,024.00	-\$47,211.00	100.34%	-0.34%
Office of Science IIP Projects	\$6,464.00	\$6,464.00	\$0.00	100.0%	\$2,849,426.00	\$2,849,426.00	\$0.00	100.00%	0.00%
LBNL SIGMA-V C#7371823	\$0.00	\$10,000.00	\$10,000.00	0.0%	\$25,143.00	\$100,000.00	\$74,857.00	25.14%	74.86%
LBNL LZExp.Operat.C#7650068 & DE-SC0022857	\$49,359.00	\$55,000.00	\$5,641.00	89.74%	\$541,505.00	\$550,000.00	\$8,495.00	98.46%	1.54%
MJD (Majorana) ORNL144149 & SDSM&T CT001412	\$1,890.00	\$2,000.00	\$110.00	94.5%	\$17,802.00	\$20,000.00	\$2,198.00	89.01%	10.99%
* Kiewit/Thyssen/DakotaT.	\$1,525.00	\$4,000.00	\$2,475.00	38.13%	\$13,403.00	\$40,000.00	\$26,597.00	33.51%	66.49%
* Caterpillar Inc.	\$0.00	\$0.00	\$0.00	0.0%	\$0.00	\$0.00	\$0.00	0.00%	100.00%
RESPEC Thermal Breakout	\$0.00	\$0.00	\$0.00	0.0%	\$264.00	\$264.00	\$0.00	100.00%	0.00%
Subtotal	\$1,796,315.00	\$1,567,807.00	-\$228,508.00	114.58%	\$19,817,869.00	\$19,996,714.00	\$178,845.00	99.11%	0.89%
Indirect Expenses									
Indirect Charges Personnel	\$345,123.00	\$475,287.00	\$130,164.00	72.61%	\$4,410,873.00	\$5,076,355.00	\$665,482.00	86.89%	13.11%
Indirect Charges Other	\$521,870.00	\$626,547.00	\$104,677.00	83.29%	\$5,824,375.00	\$6,664,072.00	\$839,697.00	87.40%	12.60%
Subtotal	\$866,993.00	\$1,101,834.00	\$234,841.00	78.69%	\$10,235,248.00	\$11,740,427.00	\$1,505,179.00	87.18%	12.82%
Totals	\$2,860,515.00	\$2,861,886.00	\$1,371.00	99.95%	\$31,644,263.00	\$33,705,487.00	\$2,061,224.00	93.88%	6.12%
* Private Corporations (Commercial Group)									

Communications Department Photo Appendix C

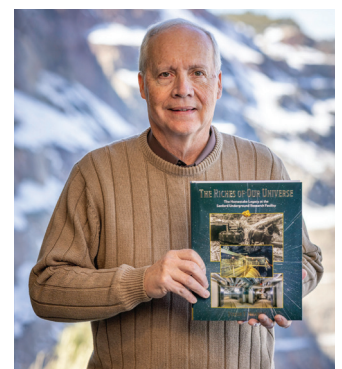


Top: An Aerial view of the Open Cut and the Sanford Lab Homestake Visitor Center

Center left: A bolter on the 4850 Level installing ground support for DUNE.

Center right: The SDSTA Emergency Response Team gather for a group photo.

Right: Steve Mitchell holds up a copy of his book, "The Riches of the Universe".



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Annual Review of SDSTA Policies and Procedures—Mr. Mike Headley

Attached are the following updated SDSTA Policies reviewed by legal counsel and recommended for approval:

10A. Annual review of SDSTA Policy and Policy-Procedure Manual

➤ Section 2 Employee Handbook:

- Leave Policy, *updated*.
- Publication Policy, *archived*. (*Science to convert to a controlled document under their department*)
- Records Retention Policy, *updated*.
- Travel Approval and Reimbursement—Employees Policy and Procedure, *updated*. (*tipping limits*)

10B. Board members to sign annual statements for 2023 affirming compliance with Financial Conflict of Interest, attached—return signed statements to Mandy Knight.

Recommended Action:

Motion to approved updated Leave Policy, Records Retention Policy, Travel Approval and Reimbursement - Employees Policy and Procedure and archive the Publication Policy, as presented.

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Leave Policy updated and submitted for board consideration Jun 22, 2023

A. Vacation leave

The South Dakota Science and Technology Authority (SDSTA) provides paid vacation leave for eligible employees to rest, relax and recharge and/or attend to nonwork matters and encourages employees to use available vacation time throughout the year.

Eligibility

The organization provides paid vacation leave to regular full-time employees that work 30 or more hours per week. Regular part-time employees who are regularly scheduled to work 20 to 29 hours per week will be eligible for paid vacation accrual on a half-time basis. Non-benefited part-time employees working less than 20 hours per week on a regular basis, and temporary employees are not eligible to accrue vacation. Vacation accrual begins on the first day of regular full and/or part-time employment or transfer into a benefits eligible position.

Accrual

Vacation is accrued according to the schedule in this policy. The amount of vacation accrued is determined by the employee's length of service as of their employment anniversary date or benefits eligibility. Vacation leave does not accrue during an unpaid leave of absence. Employees become eligible for the higher accrual rate on the first day of the pay period in which the employee's anniversary date or benefits eligibility falls. Full-time employment with the State of South Dakota immediately preceding employment with the SDSTA shall count toward the employee's length of service for vacation accrual purposes.

Full-time accrual rates effective 4/1/2023:

Years of Service	Accrual Rate per Bi-Weekly Pay Period	Annual PTO Accrual*	Maximum Accrual**
0-3.99 1-3 years	4.62 hours	15 days (120 hours)	30 days (240 hours)
4-7.99 years	6.15 hours	20 days (160 hours)	40 days (320 hours)
More than 8 years	7.69 hours	25 days (200 hours)	50 days (400 hours)

**regular part-time accrual rates are at half the rate in the schedule*

Use and scheduling of vacation

Vacation can be used after it is earned. Vacation may be taken in minimum increments of one-half hour. Employees may not use more vacation leave than they have accumulated or go into the negative. Employees are required to use available vacation leave when taking time off from work to cover up to the employee's regularly scheduled workday. Salary (exempt) employees are required to only request full days of vacation. Unpaid time off is not permitted if there is a vacation balance for which the employee meets eligibility requirements.

Whenever possible, vacation must be scheduled in advance. Requests for vacation leave must be submitted to the employee's supervisor via an electronic Time Off Request in the Human Resources Information System. Vacation is subject to supervisory approval. To ensure that SDSTA's staffing and operational needs are met at all times, SDSTA reserves the right to grant vacation requests at its discretion.

Vacation will be paid at the employee's base rate at the time the leave is taken. Vacation pay does not include overtime or any special forms of compensation such as incentives, bonuses or shift differentials. Paid vacation does not count towards hours worked for purposes of calculating overtime. If a holiday falls during the employee's vacation, the day will be charged to holiday pay, if applicable, rather than to vacation pay.

Vacation leave will be substituted for sick leave when an employee's sick leave balance has been exhausted. Vacation leave may be granted to supplement other permitted and authorized leaves of absence.

Employees will not be required to apply vacation leave for absences coincidental with traveling when the purpose of the trip is specifically for SDSTA business. When SDSTA business is incidental to the trip, vacation leave will be required to be applied for all days absent except when business is being conducted.

Payment upon termination

Upon retirement, resignation or separation, regular full-time employees and/or regular part-time employees will be paid for all accumulated but not used vacation leave. Vacation cannot be used to extend employment beyond the last actual day of work. Employees whose hours regularly drop below 20 hours per week will be paid vacation on the effective date of the change in hours.

Cash out

In November of each year, an employee may make a one-time request to cash out and receive payment for up to forty (40) hours of vacation, provided the employee has a minimum balance of 120 hours of vacation accrual as of the cash out request and 80 hours of vacation remaining immediately following the cash out. Vacation leave that has been preapproved will be considered when the request is made in order to determine if the minimum vacation balance requirement is maintained. Cash-outs shall be processed at the employee's current rate of pay. The employee must submit a "Vacation Cash-Out Request" form to Human Resources by the 15th of November of each year for payment on the first payday in December).

B. Sick leave

The SDSTA provides paid sick leave for eligible employees so health and wellness needs can be addressed without losing pay.

Eligibility

Regular full-time employees accrue 4.32 hours of sick leave per bi-weekly pay period without a maximum limitation. Regular part-time employees accrue 2.16 hours of sick leave per bi-weekly pay period without a maximum limitation. Non-benefited part-time employees working less than 20 hours per week on a regular basis, and temporary employees are not eligible to accrue sick leave.

Accrual

It is the policy of the SDSTA that all sick leave accruals shall commence from the employee's first date of service or transfer into a benefits eligible position.

Use and Scheduling of Sick Leave

Eligible employees may use their paid sick leave for the following reasons:

1. The birth or adoption of an employee's child.
2. The employee's own mental or physical illness, injury or medical condition.
3. The employee's need for medical diagnosis, care or treatment of a physical or mental illness, injury or health condition or need for preventive medical care.
4. To care for or assist a family member who needs treatment for a mental or physical illness, injury or health condition or who needs medical diagnosis, treatment or preventive medical care.
5. If the employee is excluded from work by law, health authorities or business policy due to health concerns.
6. To care for a child whose school or place of care has been closed by order of a public official due to a public health emergency.

7. All other FMLA qualifying reasons.
8. There is no minimum period of employment before sick leave may be used.
9. Requests for sick leave for non-FMLA qualifying events of fewer than 3 consecutive days at a time must be submitted to the employee's supervisor in advance via the Time Off Request in the Human Resources Information System. When the circumstances do not permit the prior submission of requests for sick leave, the request must be submitted as soon as is reasonably possible upon the employee's return to work. SDSTA reserves the right to require documentation from a health care professional to verify the need for sick leave and/or authorizing the employee to return to work. SDSTA shall protect the confidentiality of any documentation received concerning the employee's request for sick leave.
10. Sick leave may be granted to supplement other permitted and authorized leaves of absence.
11. Paid sick leave does not count towards hours worked for purposes of calculating overtime.
12. Sick leave will not be paid out to an employee upon separation of employment unless the employee has been employed with the SDSTA continuously for at least 7 years, measured from the first date of employment. Upon an employee's resignation, retirement or dismissal from employment because of reduction in staff, 25 percent of accumulated sick leave, up to a maximum of 480 hours, will be paid to such employee. The accumulated leave will be paid at the pay rate as of the employee's last date on the payroll. In the case of dismissal other than a reduction in staff, no payment for accumulated sick leave will be made. For the purpose of this subsection, employment with the State of South Dakota immediately preceding employment with the SDSTA shall count toward the 7-year requirement for payment of accumulated sick leave.
13. Effective June 23, 2011, for all new hires, accumulated hours of sick leave can be carried over from the State of South Dakota to the SDSTA only at the discretion of the Executive Director. With approval, only those hours that have not been paid out by the State of South Dakota will be credited as a beginning balance at the SDSTA. Documentation to verify hours not paid by the state must be provided in writing to the SDSTA. These hours will be used only after hours accrued through employment with the SDSTA have been used.
14. Employees who use sick time for an unauthorized reason or abuse the policy are subject to disciplinary action, up to and including termination.
15. FMLA qualifying requests for leave, including sick leave must be submitted to and approved through Human Resources via a Leave of Absence Request form prior to the requested departure time if at all reasonably possible.

C. Personal leave

Eligible employees may use accumulated sick leave for personal leave via a Leave of Absence Request form submittal and approval by Human Resources. The leave may be used for:

1. A death in the immediate family of the employee or the immediate family of the spouse or significant other of the employee. For the purposes of this Policy, the term “immediate family” means father, mother, step-parents, spouse, significant other, children, foster children, step-children, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, siblings, step-siblings, grandparents, grandparents-in-law grandchildren, aunts, uncles, aunts-in-law, uncles-in-law, nieces and nephews.
2. Non-FMLA qualifying temporary care of members of the immediate family of the employee or the employee’s spouse or significant other (see list above).
3. Non-FMLA qualifying birth or adoption of a child.
4. Volunteer police or rescue work.
5. A call to active duty of military reserve or National Guard members.

D. Administrative leave

Administrative leave is an administratively authorized absence from normal duty without loss of pay and benefits or use of other types of leave. Administrative leave may be approved in cases of reaction to natural, human-made or health-related emergencies. An emergency includes but is not limited to: inclement weather, utility failure, fire, terrorism, other forced evacuations or state of emergency. Administrative leave is not an entitlement, and SDSTA is not required to grant it. Only the Executive Director may approve a grant of administrative leave.

E. Family and Medical Leave Act (FMLA)

SDSTA employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact Human Resources.

1. Eligibility

FMLA leave is available to “**eligible employees**”. To be an “**eligible employee**,” the employee must:

- a) have been employed by SDSTA for at least 12 months (which need not be consecutive);
- b) have been employed by SDSTA for at least 1,250 hours of service during

- the 12-month period immediately preceding the commencement of the leave; and
- c) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

2. Entitlements

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

a) Basic FMLA Leave entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date the employee uses their FMLA leave.

Leave may be taken for any one, or for a combination, of the following reasons:

- The birth of a child and to care for a newborn child of the employee;
- The placement of a child for adoption or foster care with an employee;
- To care for the employee's spouse, son, daughter, parent, or in-law who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or called to covered active-duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either (i) an overnight stay in a medical care facility, or (ii) continuing treatment by a health care provider for a condition that either prevents employees from performing the essential functions of their job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or

incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

b) Additional Military Family Leave entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

c) Intermittent leave and reduced leave schedules

FMLA leave usually will be taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

d) No work while on leave

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

e) Protection of Group Health Insurance benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work, subject to any other requirements set forth in this policy.

f) Restoration of employment and benefits

At the end of FMLA leave, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

g) Notice of eligibility for, and designation of, FMLA leave

Employees requesting FMLA leave are entitled to receive written notice from SDSTA informing them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible.

When eligible for FMLA leave, employees are entitled to receive written notice of:

1. Their rights and responsibilities in connection with such leave.
2. SDSTA's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why.
3. The amount of leave, if known, that will be counted against the employee's leave entitlement.

SDSTA may retroactively designate leave as FMLA leave with appropriate written notice to employees provided SDSTA's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, SDSTA and employee can mutually agree that leave be retroactively designated as FMLA leave.

3. Employee FMLA Leave obligations

a) Provide notice of the need for leave

Employees who take FMLA leave must timely notify SDSTA of their need for FMLA leave. The following describes the content and timing of such employee notices.

1. Content of employee notice

To trigger FMLA leave protections, employees must inform their manager and/or their supervisor and Human Resources of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically or explaining the reasons for leave so as to allow SDSTA to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to SDSTA's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which SDSTA has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of employee notice

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide SDSTA notice of the need for leave as soon as practicable under the facts and circumstances of the

particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

- b) Cooperate in the scheduling of planned medical treatment (including accepting transfers to alternative positions) and intermittent leave or reduced leave schedules

When planning medical treatment, employees must consult with SDSTA and make a reasonable effort to schedule treatment so as not to unduly disrupt SDSTA's operations, subject to the approval of the employee's health care provider. Employees must consult with SDSTA prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both SDSTA and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, SDSTA may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, SDSTA may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise SDSTA of the reason why such leave is medically necessary. In such instances, SDSTA and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting SDSTA's operations, subject to the approval of the employee's health care provider.

- c) Submit medical certifications supporting need for FMLA Leave (unrelated to requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification**, and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide SDSTA with timely, complete, and sufficient medical certifications. Whenever SDSTA requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after SDSTA's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts.

SDSTA will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. SDSTA will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, SDSTA's Human Resources may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide SDSTA with authorization allowing it to clarify or authenticate certifications with health care providers, SDSTA may deny FMLA leave if certifications are unclear.

Whenever SDSTA deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial medical certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If SDSTA has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at SDSTA's expense. If the opinions of the initial and second health care providers differ, SDSTA may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by SDSTA and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, SDSTA

may require employees to provide recertification of medical conditions giving rise to the need for leave. SDSTA will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to work/fitness for duty medical certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide SDSTA with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. SDSTA may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

d) Submit certifications supporting need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, SDSTA may require employees to provide:

1. a copy of the military member's active-duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and
2. a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active-duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, SDSTA may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, SDSTA may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

e) Substitute paid leave for unpaid FMLA Leave

Employees taking unpaid FMLA must use their accrued paid time off concurrently; sick leave first, and then vacation leave.

The substitution of paid time for unpaid FMLA leave time does not extend

the length of FMLA leave and the paid time will run concurrently with the employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, SDSTA will allow employees to use accrued paid time to supplement any paid disability benefits.

f) Benefits while on FMLA Leave

Sick Leave: Employees do not accrue sick leave while on unpaid FMLA Leave.

Vacation Pay: Employees do not accrue vacation pay while on unpaid FMLA Leave.

Holidays: Employees are not eligible for holiday pay while on FMLA unless they are using accrued sick and/or vacation pay surrounding the paid holiday.

Inclement Weather Pay: Employees are not eligible for inclement weather pay while on FMLA.

SDRS Contributions: SDRS contributions are suspended while on unpaid FMLA Leave.

g) Pay employee's share of health insurance premiums

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless SDSTA notifies employees of other arrangements, whenever employees are receiving pay from SDSTA during FMLA leave, SDSTA will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by the SDSTA.

SDSTA's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, SDSTA will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other

circumstances beyond their control), they will be required to reimburse SDSTA for the cost of the premiums SDSTA paid for maintaining coverage during their unpaid FMLA leave.

4. Questions and/or complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact Human Resources. SDSTA is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to:

1. interfere with, restrain, or deny the exercise of any right provided under FMLA; or
2. discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA.

If employees believe their FMLA rights have been violated, they should contact Human Resources immediately. SDSTA will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

5. Coordination of FMLA Leave with Other State and Federal Laws and Other Leave Policies.

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult SDSTA's Human Resources.

F. Paid parental leave

SDSTA will provide up to eight (8) weeks of paid parental leave to eligible employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn(s) or a newly adopted child. Paid Parental Leave will run concurrently with FMLA Leave, as applicable.

1. Eligibility

Eligible employees must meet the following criteria:

- Have been employed with SDSTA for at least 12 months (the 12 months do not need to be consecutive).
- Have worked at least 1,250 hours during the 12 consecutive months immediately preceding the date the leave would begin.
- Be a full- or part-time, regular employee (temporary employees and interns are not eligible for this benefit).

In addition, employees must meet one of the following criteria:

- Have given birth to a child/children.
- Be a spouse of a woman who has given birth to a child/children.
- Have adopted a child/children (the child/children must be age 17 or younger). The adoption of a new spouse's child/children is excluded from this policy.

2. Amount, time frame and duration of paid parental leave

- Eligible employees will receive a maximum of eight (8) weeks of paid parental leave per birth or adoption of a child/children. The fact that a multiple birth or adoption occurs (e.g., the birth of twins or adoption of siblings) does not increase the 8-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than eight (8) weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth or adoption event occurs within that 12-month time frame.
- If both parents are SDSTA employees, both are eligible for paid parental leave. The parents may utilize paid parental leave concurrently or consecutively.
- Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.
- Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth, or placement of a child with the employee for adoption. Paid parental leave may not be used or extended beyond this 12-month time frame.
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.
- Upon termination of the individual's employment at the company, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

3. Coordination with other policies

- Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the

definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

- After the paid parental leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees' accrued sick and/or vacation pay. Upon exhaustion of accrued sick and/or vacation pay, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.
- SDSTA will maintain all benefits for employees during the paid parental leave period just as if they were taking any other company paid leave such as paid vacation leave or paid sick leave.
- If an SDSTA holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.
- An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee was on FMLA-qualifying leave.

4. Requests for paid parental leave

- The employee will provide his or her supervisor and the Human Resources (HR) with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR Office to substantiate the request.
- As is the case with all SDSTA policies, the organization has the exclusive right to interpret this policy.

G. Court and jury leave

Full-time employees are eligible for court and jury leave. The employee shall immediately notify the employee's supervisor if the employee expects to be absent from work due to the court and jury obligations. Absences will be administered as follows:

1. Testifying in official capacity—If the employee is subpoenaed by either party to testify in any civil or criminal proceeding because of the employee's official capacity or is instructed by the supervisor to testify in an official capacity without being subpoenaed, the employee shall receive the employee's regular salary without loss of leave credits and may receive actual expenses according to state

rates, but may not receive witness fees. The employee's supervisor and the SDSTA shall determine if the employee is testifying in an official capacity.

2. Subpoenaed to testify in non-official capacity—If an SDSTA employee is subpoenaed to testify in court in a non-official capacity and is not a party to the case, the employee shall receive the employee's regular salary from the SDSTA without loss of leave credits for the time spent testifying during regular working hours and may receive in accordance with SDCL 19-5-1 or any comparable federal law, witness fees and mileage from the party who issued the subpoena. However, the employee may not take court and jury leave for travel time or time when the employee is not reasonably expected to testify regardless of whether the employee has been subpoenaed for that period of time. If the employee is absent from the workplace while not testifying, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.
3. Party or witness not subpoenaed to testify—If an employee is a party to or witness who has not been subpoenaed, the employee must use vacation leave or leave without pay. This leave must be requested in advance and is subject to the supervisor's approval.
4. Service on jury—If an SDSTA employee is summoned to serve on a jury, the employee shall receive the employee's regular salary without loss of leave credits for the time spent on jury duty during regular working hours and shall be entitled to retain the per diem and mileage provided for by SDCL 16-13-46 or any comparable federal law.
5. The Executive Director is the final arbiter of whether an employee is eligible for court and jury leave.

H. Military training leave

Full-time employees are entitled to military training leave of up to 15 days per calendar year. Employees requesting military training leave must obtain a written certification from the commander of their reserve or National Guard unit indicating dates of the training period. This notice is to be submitted to the employee's supervisor at least 15 calendar days prior to the date of the employee's departure for training.

I. Leave of absence without pay

Prior permission must be obtained from the employee's supervisor to take a leave of absence without pay. If an employee has paid leave accumulated, the employee must use that before leave without pay is granted (see the Absenteeism and Tardiness Policy). While on leave without pay, employees will not accumulate leave credits and they must make provisions to pay for their own voluntary payroll deductions.

J. Absence without leave

Unauthorized and unreported absences may result in a deduction of pay and may be cause for disciplinary action. Employees must report the reason for any absence to their supervisor as soon as possible.

K. Exceptions

6. The Executive Director may grant specific employees leave in addition to or different than that provided for in this policy if the Executive Director deems such changes necessary to hire or retain a key employee. All exceptions will be made in writing.
7. Vacation leave granted by the Executive Director may be accumulated to a maximum of twice the annual accrual.

Publication Policy— requested to be archived from SDSTA PY & PP Manual; submitted for board consideration June 22, 2023

The purpose of this policy is twofold:

1. To establish high standards of excellence for publications by encouraging appropriate review for all scientific, technical and engineering publications related to Sanford Underground Research Facility (SURF) research and technical activities prior to publication; and
2. To ensure SURF is notified of all publications that are based on work performed in whole, or in part, at SURF.

A. Applicability

This policy concerns collaborating partners (“Users”), employees, contractors and visitors working at or with SURF.

This policy applies to all publications that are based on work performed in whole, or in part, at SURF. For the purposes of this policy, the term “Publication” means any document (in whatever form) such as abstracts, manuscripts and technical papers printed in a professional journal, popular periodical, published as a book or portion of a book (including electronic versions) and is made available to the public. The term includes materials subject to patents or copyrights.

B. Responsibilities

The SDSTA is not responsible for the validity, opinions, findings, conclusions or methods of the research performed by Users at SURF.

Prior to the publication of any work resulting from the research performed at SURF, it is the responsibility of the author(s), or other person(s) responsible for the content of the publication and/or those who originated or developed the content, to ensure that:

1. All requirements of any relevant investigator institution’s review processes are met.
2. Findings adhere to scientific community standards of ethics and values.
3. All requirements of any applicable funding agencies are met.
4. The publication contains the appropriate credits, oral acknowledgements, legal disclaimers and patent or copyright notices.
5. The publication complies with all applicable patent, copyright, intellectual property, and other applicable laws, as well as the requirements of the User’s Memorandum of Understanding with the South Dakota Science and Technology Authority.

C. Acknowledgements

To the extent possible, publications must contain the appropriate acknowledgement, including the funding source(s); the DOE or other agency contract number; any applicable facility (non-DOE or non-NSF contract number); and/or a disclaimer must appear in the publication of any material whether copyrighted or not, based on or developed under the project, as follows:

1. Credit line for publications with restricted word counts:

This material is based upon work supported by the U.S. Department of Energy, Office of Science, Office of High Energy Physics: [or list other funding agencies and supporting institutions] and resources of the Sanford Underground Research Facility (SURF), which is a federally sponsored research facility under Award Number DE-SC0020216.

2. Full credit line for research developed with DOE funding (no restricted word count): Note that acknowledgement of the DOE should always include two levels of organization, such as “the Office of Science of the Department of Energy”:

The research supporting this work took place in whole or in part at the Sanford Underground Research Facility (SURF) in Lead, South Dakota. Funding for this work is supported by the U.S. Department of Energy, Office of Science, Office of High Energy Physics under Contract Number [LIST CONTRACT NUMBERS]. This research was also supported by [INSERT FUNDING AGENCIES AND GRANT/CONTRACT NUMBERS HERE]. The assistance of SURF and its personnel in providing physical access and general logistical and technical support is acknowledged.

3. Disclaimer:

This report was prepared as an account of work sponsored by an agency of the United States Government. Neither the United States Government nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the United States Government or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the United States Government or any agency thereof."

4. Oral acknowledgements—Funding agency support and contributions of SURF should also be acknowledged during all news media interviews including popular media such as radio, television and news magazines as well as during presentations of papers at conferences, seminars, colloquia, public outreach presentations, workshops or other proceedings.

Publications produced as a result of research conducted at SURF are one of the measures of the lab's success. Authors can help by notifying SURF of new publications.

SURF will make every effort to make publications available through the [SURF website](#). For publications that are not available in the public domain (i.e., published in a journal or other publication with copyright restrictions), the abstract of the publication with information concerning where the full publication can be obtained will be provided through the SURF website.

A. Statement

In accordance with the Integrated Management System (IMS), federal, state and contractual obligations, the South Dakota Science and Technology Authority (SDSTA) will retain limited administrative, environmental, safety and health records according to the following tables:

Administrative

Type of Record	Retention Period
Accident report/claims (only settled cases)	10 years
Accounts payable checks and vouchers (copies)	10 years
Accounts payable ledgers and schedules	10 years
Accounts receivable ledgers and schedules	10 years
Audit reports	Indefinitely
Bank reconciliations	2 years
Bank statements	3 years
Cash books	Indefinitely
Contracts	10 years
Correspondence (only regarding legal and important matters)	Indefinitely
Deeds, mortgages and bills of sales	Indefinitely
Depreciation schedules	Indefinitely
Employment applications	5 years
Employee timesheets	10 years
Financial statements (only year-end)	Indefinitely

Foreign Nationals Identifications – Badged Users and Contractors	7 years after end of fiscal year
Garnishments	10 years
Government-furnished property (only equipment over \$5K)	3 years
Indirect cost rate proposals	3 years from date of submission
Insurance policies (expired)	7 years
Insurance records, current accident reports, claims policies, etc.	Indefinitely
Inventories of products, materials, supplies	10 years
Invoices (only to customers and from vendors)	10 years
Journals	Indefinitely
Minute books of directors	Indefinitely
Payroll records and summaries	10 years
Personnel files	Indefinitely during employment and 10 years after termination
Petty cash vouchers	3 years
Property appraisals by outside appraisers	Indefinitely
Purchase orders	3 years
Receiving sheets	3 years
Retirement and pension records	Indefinitely
Requisitions	3 years

Scrap and salvage records	10 years
Visitor daily check-in logs and monthly registration logs	5 years
Voucher register and schedules	10 years

Environmental

Type of Record	Retention Period
Biological Reports (only Whole Effluent Toxicity and Stream test results) [National Pollution Discharge Elimination System (NPDES) Permit 0000043]	5 years
Clean Air Act emission test results [40 Code of Federal Regulations (CFR) 61.33]	4 years
Clean Air Act monitoring data and performance tests [40 CFR 61.14]	4 years
Clean Air Act permits [40 CFR 70.6 (9a)(3)]	5 years
Environmental Protection Agency (EPA) underground injection permits [40 CFR 144.12]	Indefinitely
Emergency Planning and Community Right-to-know Act (EPCRA) Tier II Reports [40 CFR 370.25 (d)]	4 years
Hazardous waste exception reports [40 CFR 262.40]	4 years
Hazardous waste inspection results [40 CFR 262.40]	4 years
Hazardous waste manifests [40 CFR 262.40]	4 years
Hazardous waste training records [40 CFR 262.40]	4 years
Land Disposal Restrictions (LDR) waste analysis and documentation [40 CFR 370.25 (d)]	5 years
NPDES monitoring records (DMRs) [40 CFR 122.41]	4 years

NPDES permit application records [40 CFR 122.21]	5 years
NPDES storm water records [40 CFR 216.29]	5 years
Polychlorinated Biphenyl (PCB) manifests and logs (only after final disposal) [40 CFR 761.209]	4 years
Spill Prevention, Control and Countermeasure (SPCC) plans and inspection records [40 CFR 112.7]	4 years
Storm water construction permits [by permit]	Indefinitely
Waste test results [40 CFR 262.40]	4 years
Wastewater Treatment Plant (WWTP) monitoring data and calibration check [40 CFR 61.14]	4 years
All other permits	Indefinitely

Safety and Health

Type of Record	Retention Period
Employee Training Records	Retain for duration of employment plus 3 years
Industrial Hygiene (IH)	Indefinitely
Medical Records (only related to workers' compensation)	Indefinitely
OSHA 300 Logs	5 years
Risk Waivers (2) - "Acknowledgment of Risk" and "Release, Agreement Not to Sue and Waiver"	Indefinitely

IMS

Records created from controlled documents shall be retained in accordance with QA/QC-(1000-S)-176565 Document Change Control Standard as in effect on June 22, 2023. In the event of an

ambiguity or discrepancy between the terms of this policy and the terms of the Document Change Control Standard, the express terms of this policy shall govern.

B. Purpose

Records retention is essential for SDSTA operations and compliance.

C. Related Policies and Procedures

- Confidentiality Policy
- Employment Records and Personal Data Policy-Procedure

Travel Approval and Reimbursement—Employees Policy updated and submitted for board consideration June 22, 2023

South Dakota Science and Technology Authority (SDSTA) employees who anticipate traveling out-of-state or internationally on official SDSTA business must obtain supervisor approval prior to making travel arrangements. Supervisors will approve or deny requests in a timely manner.

Employees whose travel will be federally funded will obtain approval as required by the funding agency. Travelers must also comply with any additional funding agency requirements, including but not limited to:

- Limit tipping to ~~45~~20%;
- Limit tipping to \$20.00 for fixed base operator personnel, and
- Limit reimbursement requests for lodging and meals and incidental expenses to current rates established by the U.S. Government's General Services Administration (GSA).

SDSTA employees must submit documentation evidencing expenses incurred for travel-related expenses on a form prescribed by the SDSTA to receive reimbursement.

Employees who wish to take vacation or personal leave in conjunction with official travel must limit the amount of leave taken while on travel to no more than the duration of the official travel time excluding travel days.

Travel Approval and Reimbursement—Employees Policy-Procedure updated and submitted for board consideration June 22, 2023

These procedures establish guidelines for the request and reimbursement of in-state, out-of- state and international travel by South Dakota Science and Technology Authority (SDSTA) employees to conduct official SDSTA business.

A. Approval

The purpose of the trip, destination, approximate departure and arrival times, and anticipated expenses, must be indicated on the prescribed Commitment for Travel Expense form and submitted to the employee's supervisor for approval. Supervisors will approve or deny requests in a timely manner.

Should the reasonableness of a trip come into question (such as for a two-hour meeting that will necessitate a two-day trip), the employee's supervisor will seek approval from the Chief Financial Officer or Executive Director.

Travel arrangements should be initiated by the employee only after approval has been secured.

B. Transportation

When traveling by air, a two (2) week advance reservation is required unless waived by the Executive Director. The least expensive seating option available is to be selected. If the ticket is a hard copy in a ticket package, the original ticket is to be submitted for reimbursement. If an e-ticket is issued, a photocopy is acceptable.

In most cases, taxis and/or shuttles will be used for transportation between the airport and the final destination hotel or meeting site. Receipts for taxi fares and/or shuttles will be required. Limit tipping to ~~15%~~20% for a taxi, shuttle service, courtesy transportation driver or valet parking attendant and \$20.00 for fixed base operator personnel. If the fare is unusually high, a written explanation will be required for reimbursement.

Rental cars will only be used with the prior written permission of the appropriate department director. A compact vehicle is adequate for business travel. Specific necessity of a larger or more expensive vehicle must be justified for reimbursement. Any rental car insurance protections/coverages offered should be declined as the SDSTA will not reimburse for this expense. A receipt for the rental car will be required.

When available, SDSTA vehicles may be used by SDSTA employees for business-related travel. No person who is not an employee or director of the SDSTA may drive or be a passenger in a SDSTA-owned vehicle without authorization of the Executive Director.

Personal vehicles may also be used for business-related travel. In that circumstance, the employee will be paid mileage at the then-applicable Internal Revenue Service mileage allowance using the shortest distance. Odometer miles will be used to calculate mileage. Refer to Google Maps for mileage distance if odometer readings were not recorded.

C. Lodging

Hotel bills must clearly itemize the cost of the room separate from other charges.

For in-state and out-of-state travel, the maximum reimbursement payable for lodging shall be equal to the domestic lodging rate for the location of travel established by the U.S. General Services Administration ([GSA](#)) as in effect at the time of travel.

D. Meals

SDSTA employees traveling overnight shall be paid a per diem allowance in lieu of the actual expense. For in-state and out-of-state travel, the per diem shall be equal to the Domestic Per Diem Rates for the location of travel as established by the GSA as in effect at the time of travel ([www.gsa.gov](#)). On the first and last calendar day of travel, the per diem rate for meal reimbursement is calculated at 75% of the GSA rate.

If a meal is provided free of charge in connection with an employee's travel, the employee will not be reimbursed or eligible for the per diem attributable to that meal.

SDSTA will not reimburse for alcoholic beverages under any circumstances.

E. International Travel

A two (2) week advance reservation is required for international air travel unless waived by the Executive Director. The least expensive seating option available is to be selected. If the ticket is a hard copy in a ticket package, the original ticket is to be submitted for reimbursement. If an e-ticket is issued, a photocopy is acceptable.

The maximum reimbursement payable for lodging and meals to SDSTA employees traveling internationally shall be equal to the rates established by the US Department of State located on their website ([www.state.gov/foreign_per_diem](#)) based on the location traveled.

Rental cars will only be used with the prior written permission of the Executive Director. In most cases, taxis, buses and trains will be used for transportation between the airport and the final destination hotel or meeting site. Receipts for such fares are required for reimbursement. Limit tipping to ~~15%~~20% for a taxi, shuttle service, courtesy transportation driver or valet parking attendant and \$20.00 for fixed base operator personnel. If the fare is unusually high, an explanation will be required.

F. Federally funded travel

SDSTA employees whose travel is federally funded must secure sponsor approval and comply with sponsor requirements as set forth in the sponsor agreement.

G. Reimbursement

SDSTA employees must submit a Travel Reimbursement form, together with a copy of the approved Commitment for Travel Expense form and the required documentation for transportation, lodging, meals and related expenses, to receive reimbursement.

1. Weekend Stays. The SDSTA will reimburse lodging costs for weekend stays if the total cost to the SDSTA is less than if the individual had traveled a weekday trip only.

2. Combined SDSTA and Personal Trips_ An employee traveling on a combined SDSTA and personal trip shall pay all expenses not specifically related to SDSTA business, including all lodging, meals, transportation and miscellaneous expenses incurred as a result of the additional time.

SDSTA will pay directly the cost of the combined airfare for both the business-related and personal portions of the trip provided that the total cost to the SDSTA, including lodging costs eligible for reimbursement as noted in Weekend Stays, are less than the total airfare for the business-related portion only.

Should the combined business-related and personal airfare be more than the business-related airfare, the employee shall pay for the combined ticket. The employee will be reimbursed for the business-related portion of the ticket upon submission of a Travel Reimbursement form and all required documentation to the SDSTA.

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Financial Conflict of Interest Policy

South Dakota Science and Technology Authority

Article I

The purpose of this Financial Conflict of Interest Policy is to protect the South Dakota Science and Technology's (SDSTA's) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a Board Member, officer or employee.

This policy is intended to supplement, but not replace, any applicable state and federal laws governing conflicts of interest which are applicable to the SDSTA.

Article II

A. Definitions

1. Interested Person—Any officer, employee, Director or member of a committee with powers delegated from the Board of Directors, who has a direct or indirect financial interest, as defined below, is an Interested Person.
2. Financial Interest—A person has a Financial Interest if the person has, directly or indirectly, through business (including membership in a partnership or limited liability company or ownership of stock in a corporation), investment or a member of the person's immediate family:
 - a. An ownership or investment interest in any entity with which the SDSTA has a transaction or arrangement;
 - b. A compensation arrangement with the SDSTA or with any entity or individual with which the SDSTA has a transaction or arrangement; or
 - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the SDSTA is negotiating a transaction or arrangement.
3. Compensation—includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

Financial Conflict of Interest Policy

South Dakota Science and Technology Authority

Article III—Procedures

B. Duty to disclose

In connection with any actual or possible conflict of interest, an Interested Person must disclose the existence of the Financial Interest and be given the opportunity to disclose all material facts to the Board of Directors considering the proposed transaction or arrangement.

C. Determining whether a financial conflict of interest exists

After disclosure of the Financial Interest and all material facts, and after any discussion with the Interested Person, the person shall leave the Board of Directors meeting while the determination of a conflict of interest is discussed and voted upon. The remaining members of the Board of Directors shall decide if a conflict of interest exists.

D. Procedures for addressing the financial conflict of interest

1. An Interested Person may make a presentation at the Board of Directors meeting, but after the presentation, the person shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The Chairperson shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the Board of Directors shall determine whether the SDSTA can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board of Directors shall determine by a majority vote of the disinterested Directors whether the transaction or arrangement is in the SDSTA's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

Financial Conflict of Interest Policy

South Dakota Science and Technology Authority

E. Violations of the financial conflict of interest policy

1. If the Board of Directors has reasonable cause to believe a person has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for such belief and afford the person an opportunity to explain the alleged failure to disclose.
2. If, after hearing the person's response and after making further investigation as warranted by the circumstances, the Board of Directors determines the person has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Article IV—Contracts Supported by Federal Funds

A. Participation in award or administration

Anything in this Policy to the contrary notwithstanding, no employee, officer, Board Member, or agent of the SDSTA shall participate in the selection, or in the award or administration of, a contract supported by federal funds if disqualified pursuant to the terms of this Article IV.

Disqualification

A person is disqualified if the person, any member of his immediate family or a business partner, associate, or co-owner of the person has a financial or other interest in the firm selected for the award. A person is not disqualified if his direct or indirect interest in the firm is insubstantial, such as in the case of ownership of an insubstantial amount of stock in a publicly-traded corporation. The Board of Directors may determine whether other interests are insubstantial on a case-by-case basis.

B. Gratuities

Neither the SDSTA nor any employee, officer or Board Member shall accept any gratuity, favor of anything of monetary value from a contractor, potential contractor or parties to sub-agreements. This Policy does not prohibit the acceptance of gifts of nominal value (under \$20 or \$50 a year per source) such as business meals, logo or promotional advertising novelties routinely used by vendors to market their businesses to the public, or refreshments or meals in connection with attendance at professional meetings or events sponsored by businesses or associations. However, employees should exercise discretion in accepting invitations or wearing logo items where they could create the appearance of a conflict of interest.

Financial Conflict of Interest Policy

South Dakota Science and Technology Authority

Article V—SDCL Ch. 3-23

Members of the Board of Directors shall also comply with the provisions of SDCL Ch. 3-23. In the event of a conflict between the terms of this Policy and the terms of SDCL Ch. 3-23, the more restrictive terms shall govern and all committees with Board-delegated powers shall contain:

The names of the persons who disclosed or otherwise were found to have a Financial Interest in connection with an actual or possible conflict of interest, the nature of the Financial Interest, any action taken to determine whether a conflict of interest was present and the Board's decision as to whether a conflict of interest in fact existed.

The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement and a record of any votes taken in connection with the proceedings.

Article VII—Compensation

F. Board of Directors

A member of the Board of Directors who receives compensation, directly or indirectly, from the SDSTA for services is precluded from voting on matters pertaining to that member's compensation.

G. Committees

A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the SDSTA for services is precluded from voting on matters pertaining to that member's compensation.

Information concerning compensation

No member of the Board of Directors or voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the SDSTA, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Financial Conflict of Interest Policy

South Dakota Science and Technology Authority

Article VIII—Notification of Conflict of Interest Rules

H. Statement

Each Director, principal officer and member of a committee with Board-delegated powers shall annually sign a statement which affirms such person:

1. Has received a copy of the Financial Conflict of Interest Policy;
2. Has read and understands the Policy; and
3. Has agreed to comply with the Policy.

I. Notification

Each employee of SDSTA shall be given notice of this Financial Conflict of Interest Policy and any related or similar policies, procedures, manuals, rules or requirements pursuant to the Employee Awareness Program provided for in the *Code of Business Ethics and Conduct Policy-Procedure*, Section

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Report from Nominating Committee—Vice Chairperson Dana Dykhouse

Nominating Committee Report

June 2, 2023

Participants:

Mr. Dana Dykhouse, SDSTA Board of Director and Nominating Committee Chair
Mr. Roger Musick, SDSTA Board of Director and Nominating Committee Member

Mr. Dykhouse and Mr. Musick communicated as the nominating committee for the purpose of nominating the slate officers for the 2023-2024 board year. The slate of officers is as follows:

Chairperson: Mr. Casey Peterson
Vice-Chairperson: Mr. Dana Dykhouse
Secretary Treasurer: Ms. Patricia Lebrun

The nominating committee has contacted all of the candidates and they are each willing to serve in this capacity for another year.

Recommended Action:
Informational.

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Election of Officers—Chairperson Casey Peterson

See suggested motion below.

South Dakota Science and Technology Authority
Election Procedures Policy

Adopted 6/24/08

The Board of Directors shall follow the following procedure for the nomination and election of officers.

- A. The nomination and election process shall be held in open session.
- B. At the last meeting of the Board before the Annual Meeting, the Chairperson shall appoint a Nominating Committee.
- C. The following procedure shall be utilized at the Annual Meeting:
 1. The Chairperson shall call for the report of the Nominating Committee.
 2. After the Nominating Committee reports, the Chairperson shall ask if any Board member intends to make additional nominations.
 3. If no Board member indicates the intention to make additional nominations, the Chairperson shall call for a motion to elect the slate recommended by the Nominating Committee.
 4. If any Board member indicates the intention to make an additional nomination for any office, the slate recommended by the Nominating Committee shall be deemed rejected and the following procedure shall be utilized:
 - a. The Chairperson shall call for oral nominations for the office of Chairperson. Once it appears that all nominations have been made, a motion that nominations cease would be in order. This motion may be made with or without a call for such motion by the Chairperson.
 - b. If there is only one nominee, a motion that all nominations cease and that the nominee be elected Chairperson would be in order. This motion may be made with or without a call for such motion by the Chairperson.
 - c. If there is more than one nominee, nominations shall continue until there is a successful motion that nominations cease.
 - d. Upon passage of a motion that nominations cease, the Chairperson shall call for a vote. Each Board member shall announce his or her vote out loud. Counsel for the Authority shall tabulate the vote and announce the results.
 - e. The successful candidate shall immediately take office as Chairperson and conduct the remainder of the election and the meeting.
 - f. The Chairperson shall follow the procedure set forth above for each of the remaining offices.
- D. Pursuant to SDCL 1-16H-11, the affirmative vote of no less than four Board members is necessary to elect any officer. If no candidate receives four votes, the Board will vote twice more. If no candidate receives four votes after three attempts, the election for that office will be deemed adjourned until the next meeting of the Board. At the next meeting, the Board shall commence the election procedure set forth above in Section C.4, but only as to any office not filled at the prior meeting. This procedure shall continue from meeting-to-meeting until a candidate receives at least four votes. Pursuant to Article III, Section 1 of the Bylaws, the officers in office as of the commencement of the Annual Meeting shall remain in office until their successors are duly elected.

This policy shall remain in effect until specifically rescinded or modified.

Recommended Action:

Motion to accept the report from the nominating committee and to elect Casey Peterson as Chairperson, Dana Dykhouse as Vice Chairperson and Patricia Lebrun as Secretary/Treasurer, to take office at the end of the June 22, 2023 board meeting.

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Executive Session—Chairperson Casey Peterson

Meeting closed to public during executive session.

See recommended motion below.

Recommended Action:

Motion to enter executive session to discuss personnel matters and to consult with legal counsel concerning contractual and legal matters—SDCL 1-25-2(1), (3) and (4); 19-19-502.

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Report from Executive Session—Chairperson Casey Peterson

See recommended motion below.

Recommended Action:

“The board consulted with legal counsel concerning contractual and legal matters. No action was taken.”

OR

...as discussed and stated otherwise

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Approval of documents—Mr. Mike Headley

Approval of documents

15A. Review amended waivers. (*See suggested motion below.*)

15B. Review Risk Transfer Protocols. (*See suggested motion below.*)

15C. Approval of FY2024 Office of Risk Management Intergovernmental Agreement. (*See suggested motion below.*)

Recommended Action:

15A. Motion to approve amendments to the Acknowledgment of Risk Waiver and Release, Agreement Not To Sue And Waiver subject to review by Homestake.

15B. Motion to approve revised Risk Transfer Protocols, subject to approval by the Department of Energy and review by Homestake as provided in the Property Donation Agreement.

15C. Motion to approve FY2023 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize SDSTA Executive Director to sign agreement.

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Name: _____

Affiliation: _____

Date: _____

**South Dakota Science and Technology Authority
Sanford Underground Research Facility (SURF)**

ACKNOWLEDGEMENT OF RISK

**Must be signed before going underground.
Persons under the age of 18 are not permitted underground.**

In consideration for being permitted to enter upon the property of the South Dakota Science and Technology Authority (referred to in this document as the "Authority") located in and near Lead, South Dakota, including both the surface property and the underground workings and facilities owned by the Authority (referred to in this document as the "Authority's Surface Property" or the "Authority's Underground Property" and collectively, the "Authority's Property"), which permission was granted at my request, I do hereby freely and knowingly state, declare and agree as follows:

(Initial) ____ 1. I have independently investigated the risks to my health, life, and safety and the risks of damage to my property resulting from my entry, presence, and activities upon and in the Authority's Property, including both the surface property and the underground property. Based upon that investigation, I have developed an informed understanding of the risks to me and my property resulting from my entry, presence, and activities upon either or both of the Authority's Surface Property and the Authority's Underground Property.

(Initial) ____ 2. Without limiting the generality of paragraph 1 above, I am aware the Authority's Surface Property is a former commercial mine which includes and contains heavy machinery, high-voltage electrical connections and conduits, open catwalks and other elevated walkways, apparent and hidden hazards of tripping or falling, industrial and mining chemicals and other agents, naturally-occurring minerals, naturally-occurring land and environmental conditions that are potentially hazardous, fully or partially reclaimed mine facilities (including but not limited to, open pits, underground mine workings, process plants and waste rock areas), possible air-borne contaminants, high-pressure lines and vessels, falling or low-hanging items that present a risk of head injury and numerous other serious apparent, and unapparent risks to my health, life and safety and risks of damage to my property.

(Initial) ____ 3. Without limiting the generality of paragraph number 1 above, I am further aware that in addition to the risks associated with the Authority's Surface Property described in paragraph 2 above, the Authority's Underground Property is also a former commercial mine and it also includes and contains heavy machinery, high-voltage electrical connections and conduits, open catwalks and other elevated walkways, underground mine workings, apparent and hidden hazards of tripping or falling, industrial and mining chemicals and agents, naturally-occurring minerals, naturally-occurring geologic and environmental conditions that are potentially hazardous, possible air-borne contaminants, high-pressure lines and vessels, and falling or low-hanging rock or other items that present a risk of head injury. I am further aware that going underground involves a substantial risk of underground fires, underground floods, roof falls and collapse, failure of lifts, hoists and ventilation equipment, suffocation, being trapped, being crushed to death, and numerous other serious apparent and unapparent risks to my health, life and safety, and risk of damage to my property.

(Initial) _____ 4. Without limiting the generality of paragraph number 1 above, I am further aware that access to and presence in the Authority's Underground Property will require me to be in close proximity to others, such that compliance with the recommendations of public health agencies concerning physical distancing may not be possible. My access to and presence within the Authority's Underground Property may result in my exposure to biological contaminants, viruses, and other communicable diseases including but not limited to Covid-19. I am aware that accessing the Authority's Underground Property involves the potential for exposure to biological contaminants, including viruses, and other communicable diseases which may result in my untimely death, numerous other serious apparent or unapparent risks to my long-term health and well-being, life and safety, and could result in permanent debilitation, injury and death.

(Initial) _____ 5. I acknowledge that accessing the Authority's Surface Property or the Authority's Underground Property while under the influence of alcohol, cannabis (including medical cannabis), and other drugs is strictly prohibited. I further acknowledge that doing so may increase the possibility of injury or death.

(Initial) _____ 6. I acknowledge I have the time, knowledge, and experience to make an intelligent choice concerning whether to assume the risk associated with my entry, and activities upon or in the Authority's Surface Property, the Authority's Underground Property, or both.

(Initial) _____ 7. I do hereby voluntarily, freely, and unconditionally assume any and all risk of damage to my health, personal injury, death, and damage to my property in any way associated with my entry, presence, or activities upon, in, or around Authority's Surface Property and the Authority's Underground Property.

(Initial) _____ 8. I acknowledge that I have been given a safety briefing or safety training, and I agree to abide by guidelines explained during that briefing or training.

(Initial) _____ 9. In the interest of safety and security, I agree that any person or property may be subject to inspection by Authority personnel at any time I am on Authority property.

(Initial) _____ 10. I acknowledge that my failure to comply with any applicable law, regulation, rule, or policy (including the guidelines explained during my safety briefing or safety training) is grounds for the Authority to immediately revoke my permission to enter Authority's Property, to order me to immediately leave the Authority's Property, and to deny me future access to the Authority's Property. I agree to immediately comply with all directions given by the Authority to me pursuant to this paragraph.

(Initial) _____ 11. I have been provided and have read and signed (or will sign), a document entitled "RELEASE, AGREEMENT NOT TO SUE AND WAIVER."

(Initial) _____ 12. I acknowledge that I have provided valid personal identification to Authority Personnel.

I HAVE READ THIS ACKNOWLEDGEMENT OF RISK, CONSISTING OF THREE PAGES AND TWELVE NUMBERED PARAGRAPHS. I FULLY UNDERSTAND ITS TERMS AND THE RISKS DESCRIBED IN IT. I HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE TO ME.

ANY CHANGE TO THE PRE-PRINTED TERMS OF THIS DOCUMENT IS VOID AND UNENFORCEABLE.

DATED this _____ day of _____, 20_____.

[PRINT NAME]

I HAVE READ THIS ACKNOWLEDGEMENT

[SIGNATURE]

I am requesting permission to enter the Authority’s Property as an officer, agent, employee, consultant, scientific investigator, student, visitor, and I am otherwise affiliated with _____.

FOR OFFICE USE ONLY:

ONLY SDSTA PERSONNEL MAY ACT AS WITNESSES

Witnessed by: _____
[Print Name]

Witnessed by: _____
[Signature]

Logged by: _____

Revision History

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
01	6/8/2023	NA	NA	Initial Release	CCR

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Name: _____

Affiliation: _____

Date: _____

**South Dakota Science and Technology Authority
Sanford Underground Research Facility (SURF)**

**Must be signed before going underground.
Persons under the age of 18 are not permitted underground.**

RELEASE, AGREEMENT NOT TO SUE, AND WAIVER

In consideration for being permitted to enter upon the property of the South Dakota Science and Technology Authority (referred to in this document as the "Authority") located in and near Lead, South Dakota, including both the surface property and the underground workings and facilities owned by the Authority (referred to in this document as the "Authority's Surface Property" or the "Authority's Underground Property" and collectively, the "Authority's Property"), which permission was granted at my request, I do hereby freely and knowingly state, declare and agree as follows:

(Initial) ____ 1. I have today been provided and have read and signed a form entitled "ACKNOWLEDGEMENT OF RISK," which describes in general terms the numerous apparent and unapparent risks of serious bodily injury, death, or damage to my property, which exists on and in both the Authority's Surface Property and the Authority's Underground Property.

(Initial) ____ 2. Being fully aware of the risks as described in the accompanying "ACKNOWLEDGEMENT OF RISK," I do hereby voluntarily, freely, and unconditionally release and agree not to sue the following persons and entities for any damage to my health, bodily injury, death and/or damage to my property in any way associated with my entry, presence or activities upon, in, or around the Authority's Surface Property and/or the Authority's Underground Property, and I further hereby waive any such claims I may have against the following persons and entities, whether arising in tort, contract, or otherwise. This release, agreement not to sue and waiver is given in favor of the following persons and entities:

(Initial) ____ (a). The State of South Dakota and its elected representatives and officers, unelected officers, employees, agents, consultants and representatives; and

(Initial) ____ (b). The South Dakota Science and Technology Authority and its officers, directors, employees, agents, consultants and representatives, and any visitor, contractor, consultant, or any other person (natural or otherwise) that the South Dakota Science and Technology Authority directs to, invites or permits upon, or authorizes to use the Authority's Property and its or their agents, representatives, consultants, lessees, licensees, and invitees; and

(Initial) ____ (c). The Barrick Gold Corporation; any person, partnership, joint venture, corporation, or any other form of enterprise which directly or indirectly controls, is controlled by or is under common control with Barrick Gold Corporation; any officer, director, employee, agent or consultant of Barrick Gold Corporation; and any visitor, contractor, consultant, or any other person (natural or otherwise) that Barrick Gold Corporation directs to, invites or permits upon or authorizes to use the Authority's Property and its or their agents, representatives, consultants, lessees, licensees, and invitees; and

(Initial) _____ (d). Homestake Mining Company of California, any person, partnership, joint venture, corporation, or any other form of enterprise which directly or indirectly controls, is controlled by, or is under common control with Homestake Mining Company of California; any officer, director, employee, agent, or consultant of Homestake Mining Company of California; and any visitor, contractor, consultant, or any other person (natural or otherwise) that Homestake Mining Company of California directs to, invites, or permits upon, or authorizes to use the Authority's Property and its or their agents, representatives, consultants, lessees, licensees, and invitees; and

(Initial) _____ (e). Mr. T. Denny Sanford or any other person or entity providing funding or other support for the construction, operation, and maintenance of the Authority, the Authority's Property, and/or the Sanford Underground Research Facility; and

(Initial) _____ (f). The Sanford Underground Research Facility Foundation ("SURFF"), its officers, directors, organizers, managers, employees, agents, consultants and representatives, and any visitor, contractor, consultant, or any other person (natural or otherwise) that SURFF directs to, invites, or permits upon, or authorizes to use the Authority's Surface Property or the Authority's Underground Property, leasehold interest or licenses, and their agents, representatives, consultants, lessees, licensees, and invitees.

(Initial) _____ 3. I understand that this document does not act to release, discharge, or waive any rights I may have as against my employer to compensation or the payment of medical expenses under applicable workers' compensation law.

(Initial) _____ 4. The release, agreement not to sue and waiver contained in this document includes any and all claims I or my heirs, representatives, successors, or assigns (including, but not limited to, my family) may have as a result of any damage to my health, injury to me, my death, or damage to my property, including incidental and consequential damages and loss of income, support, and companionship.

(Initial) _____ 5. I agree that if a court or other tribunal with jurisdiction rules that some portion of this document is for any reason unenforceable, the remaining portions of this document shall remain valid and enforceable.

(Initial) _____ 6. The release and waiver contained in this document and my agreement not to sue the parties named above is and will be binding on me and my heirs, representatives, successors, and assigns (including, but not limited to, my spouse and other family).

(Initial) _____ 7. I acknowledge that I have provided valid personal identification to Authority Personnel.

I HAVE READ THIS RELEASE, AGREEMENT NOT TO SUE AND WAIVER, CONSISTING OF THREE PAGES AND SEVEN NUMBERED PARAGRAPHS. I FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE TO ME. I INTEND MY SIGNATURE TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY, AGREEMENT NOT TO SUE AND WAIVER OF LIABILITY TO THE GREATEST EXTENT ALLOWED BY LAW.

ANY CHANGE TO THE PRE-PRINTED TERMS OF THIS DOCUMENT IS VOID AND UNENFORCEABLE.

DATED this _____ day of _____, 20____.

[PRINT NAME]

I HAVE READ THIS RELEASE, AGREEMENT NOT TO SUE AND WAIVER

[SIGNATURE]

I am requesting permission to enter the Authority's Property as an officer, agent, employee, consultant, scientific investigator, student, visitor, and I am otherwise affiliated with

_____.

FOR OFFICE USE ONLY:

ONLY SDSTA PERSONNEL MAY ACT AS WITNESSES

Witnessed by: _____
[Print Name]

Witnessed by: _____
[Signature]

Logged by: _____
[Print Name]

Revision History

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
01	6/8/2023	NA	NA	Initial Release	CCR

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I. GENERAL

A. Purpose – Interpretation

These Risk Management Protocols (“Protocols”) are intended to:

1. Establish a systematic contractual risk transfer procedure for the South Dakota Science and Technology Authority (“SDSTA”);
2. Establish a written risk management plan that includes, among other things: (a) general categories of activities and associated risks organized by level of risk; (b) types of coverage and limits of liability to be required for each category; (c) criterion used to determine whether the Homestake Indemnified Parties must be named as additional insureds on commercial insurance policies required of Contractors and Project Participants; and (d) criterion used to determine whether a retained risk plan, pool, or other form of “self-insurance” is acceptable in combination with or in lieu of commercial insurance; and
3. Ensure all Contractors and Project Participants provide insurance in compliance with the terms of the PDA and to shift risk away from the Homestake Indemnified Parties, SDSTA, and the State of South Dakota in compliance with the terms and intent of the PDA and the donation of the former Homestake Gold Mine to SDSTA.

B. Scope

These Protocols are applicable to all Contractors and Project Participants and its or their Representatives.

C. Protocol Structure

SDSTA’s risk transfer program consists of two components: standard contractual provisions and insurance requirements. The standard contractual provisions are described below in Section II. The insurance requirements are described below in Section III.

D. Definitions

1. "Authorized Entrant" has the meaning given to that term in the PDA. The term does not include FRA or its Representatives or FRA’s Contractors.

2. "Contractor" means a natural person or Entity that undertakes a contract to provide materials or labor to perform a service or do a job at SURF, including but not limited to excavation, construction, outfitting, and equipment installation, whether on the Surface Property or in the Underground Property, and including, without limitation, natural persons and entities contracting with SDSTA, a Project Participant, or any other natural person or entity. Without limitation, the term includes any contractor or contractor Representative that uses a hand tool or other tool as a part of their job or work. The term includes subcontractors at any level and consultants and sub-consultants at any level.
3. "DOE" means the United States Department of Energy.
4. "Entity" means a partnership, corporation, limited liability company, or unincorporated association; a collaboration; a public or private educational institution; a public or private laboratory; a federal, state local, or other governmental entity, or any agency or instrumentality thereof; a body corporate and politic; and any other or similar organization. Without limitation, the term includes collaborations made up solely of non-US natural persons and/or Entities or a combination of US and non-US natural persons and/or Entities.
5. "FRA" means Fermi Research Alliance, LLC, operator of the Fermi National Accelerator Laboratory.
6. "Homestake Indemnified Parties" has the meaning given to that term in the PDA.
7. "PDA" means the Property Donation Agreement between and among Homestake Mining Company of California, the State of South Dakota, and SDSTA, which is dated April 14, 2006, as amended.
8. "Project Participant" means a natural person or Entity that undertakes, or participates in the undertaking of, an experiment, investigation, examination, or other, similar scientific or engineering activity at SURF, including without limitation the excavation or construction of laboratory space or infrastructure associated with or necessary for the experiment, investigation, examination, or other, similar scientific or engineering activity. The term includes, without limitation, a public or private educational institution or a laboratory which is a member of a collaboration or which employs a natural person who is a member of a collaboration. The term does not include DOE or any other funding agency. The term does not include a natural person who is an employee of a

Project Participant that undertakes an experiment, investigation, examination, or other, similar scientific or engineering activity at SURF.

9. "Representative" means any natural person or Entity, including elected officials, officers, directors, employees, agents, consultants, lessees, licensees, and invitees, that any Contractor, Project Participant, or other natural person or Entity invites onto, or allows or authorizes to conduct any activities at SURF. Without limiting the generality of the foregoing, the term includes natural person or Entity members of collaborations and natural persons representing collaborations.
10. "Risk Manager" means a qualified person employed by the Authority for the purpose of managing the risk of the Authority and interpreting and carrying out the terms of these Protocols.
11. "Risk Management Consultant" means a qualified consultant, not an employee of SDSTA, engaged for the purpose of assisting the Risk Management Consultant and carrying out the other tasks assigned to the Risk Management Consultant by these Protocols.
12. "SURF", means the Sanford Underground Research Facility, owned and controlled by SDSTA, and located in and near Lead, South Dakota, including both the Surface Property and the Underground Property, and any other SDSTA-owned or -controlled property.
13. "Surface Property" means the surface estate at SURF as described in Part 1 of Exhibit A to the PDA.
14. "Underground Property" means the subsurface estate and mineral estate at SURF as described in Part 2 of Exhibit A to the PDA, which includes all rights owned by SDSTA in the subsurface estate and mineral estate underlying the Surface Property.

E. The Risk Manager

SDSTA shall at all times employ a qualified internal Risk Manager and as necessary and/or required by these Protocols, a Risk Management Consultant.

F. Responsibilities

1. The Executive Director will ensure that all requirements of the PDA are met. The Executive Director will ensure compliance by allocating resources and delegating

responsibility concerning contract review and insurance compliance to the Risk Manager.

2. The Risk Manager will be responsible for categorizing all Contractors and Project Participants and its or their Representatives by appropriate level of risk.
3. The Risk Manager is responsible for the development of a risk management program that includes decision making tools, standardized categorization parameters to be used to determine types of coverage, limits of liability, and whether a retained risk plan, pool, or other form of "self-insurance" is acceptable.
4. The Risk Manager ensures the proper risk management contract language in compliance with these Protocols is applied and inserted within each contract on a case-by-case basis.
5. The Risk Management Consultant will upon request review the Risk Manager's determinations concerning types and amounts of coverage required of "Other Risk" Contractors and Project Participants and will periodically review the Risk Manager's determinations concerning the level of risk assigned to particular Contractors and Project Participants. The Risk Management Consultant will be identified and retained by the Executive Director, in consultation with SDSTA's general counsel.
6. The Risk Manager shall have the separate and independent duty and ability to report directly to the SDSTA Board of Directors and to general counsel for SDSTA.

G. Document Retention

1. SDSTA shall retain copies of all Contracts to which SDSTA is a party, Memoranda of Understanding, or other Agreements with Contractors and Project Participants, insurance certificates, and policies for a minimum of ten (10) years after final completion or final decommissioning.
2. Anything in this document to the contrary notwithstanding, SDSTA shall at all times comply with the document retention provisions of PDA section 6.10 (c).

H. Inclusion in Contracts and Memoranda of Understanding

In all projects (whether conducted by SDSTA or a Project Participant) involving competitive bids, requests for proposals, or any other form of solicitation, the insurance and other requirements

set out in this document will be provided to each interested Contractor prior to bid submission. Prior to final execution of a contract with any Contractor or a Memorandum of Understanding or other agreement with a Project Participant, regardless of whether a competitive bid, request for proposal, or other form of solicitation was utilized in connection therewith, the Risk Manager will verify the contract or memorandum contains the appropriate indemnification and insurance requirement language to ensure the requirements of this document have been met.

I. Changes to Protocols

1. The Risk Manager makes minor changes for work flow and integration.
2. The Risk Manager delegates responsibilities for formatting, version numbers, document control, and grammatical changes.
3. The Risk Manager notifies the Executive Director of the need for major conceptual changes.
4. Major changes, such as changes to limits of coverage, require the review and approval of SDSTA's general counsel, DOE, and the Board of Directors, and must thereafter be submitted to Homestake.

II. REQUIRED CONTRACTUAL PROVISIONS

A. Required Clauses

Except as otherwise provided below, a standard indemnification clause will be included in all contracts, Memoranda of Understanding, or other agreements between SDSTA and Contractors, and between Project Participants and their Contractors of any tier. A provision requiring natural persons entering the Underground Property to execute an Acknowledgement of Risk and the Release and Agreement Not to Sue and Waiver will be included in all contracts, Memoranda of Understanding, or other agreements between SDSTA and Contractors or Project Participants, between Project Participants and their Contractors, and between general Contractors and their subcontractors and consultants of any tier when the Underground Property is entered or the work or activities directly relate to the Underground Property.

1. Indemnification. This provision requires a Contractor to assume liability for, defend, and indemnify the Homestake Indemnified Parties, SDSTA and the State of South Dakota, and SDSTA's and the State of South Dakota's elected officials, appointed officials, employees and agents from and against losses arising from the Contractor's negligence

or intentional acts and the negligence or intentional acts of the Contractor's officers, directors, employees, agents, subcontractors of any tier, or consultants. This requirement does not apply to Contractors of Authorized Entrants or to Contractors in the "Low Risk" category. The standard form of indemnification clause is shown in Appendix B.

2. **Acknowledgment of Risk.** Under this provision, Contractors and Project Participants and their Representatives are advised that all natural persons who enter the Underground Property are required to declare that they have investigated and been advised on the risks associated with going underground. The required form of Acknowledgment of Risk is shown in Appendix C. This requirement does not apply to Authorized Entrants.
3. **Release, Agreement Not to Sue and Waiver (the "Release").** Under this provision, Contractors and Project Participants and their Representatives are advised that all natural persons who enter or conduct work or activities directly related to the Underground Property must agree to release, discharge, and not sue the Homestake Indemnified Parties, SDSTA, the State of South Dakota, and SDSTA's and the State of South Dakota's elected officials, appointed officials, employees, and agents from and for any claims, actions, or proceedings of any kind related to or arising out of damage to their health, bodily injury, death and/or damage to their property in any way associated with entry, presence in, or activities upon, in, or around SURF. The required form of Release, Agreement Not to Sue and Waiver is shown in Appendix D. This Requirements does not apply to Authorized Entrants.

B. Natural Persons Entering the Underground Property

Anything elsewhere in these Protocols to the contrary notwithstanding, except for Authorized Entrants, all natural persons entering the Underground Property for any reason or under any authority must execute the Acknowledgement of Risk and the Release, Agreement Not to Sue and Waiver prior to entering the Underground Property. Except for Authorized Entrants, this requirement applies to all elected officials, officers, agents, and employees of SDSTA, the State of South Dakota, the United States, and all other governmental entities.

C. Waivers

The requirement for execution of the standard indemnification clause may be waived by SDSTA's Executive Director, in consultation with SDSTA's legal counsel. Execution of the Acknowledgment of Risk and of the Release, Agreement Not to Sue and Waiver are required by the PDA and may only be waived by the Executive Director, in consultation with SDSTA's legal

counsel and with Homestake's written consent. The PDA requires Homestake's approval of the forms of the Acknowledgment of Risk and the Release and Agreement Not to Sue and Waiver. Accordingly, no changes may be made to those forms without Homestake's written consent.

III. INSURANCE REQUIREMENTS

A. Overview

These guidelines establish four (4) broad categories of Contractors and Project Participants, based on the nature and extent of their activities on SDSTA property. The categories are "Negligible Risk," "Low Risk," "Intermediate Risk" and "Other Risk." The following subsections set out the criteria for classifying Contractors and Project Participants and the insurance requirements for each, as well as establishing criteria for requiring certain supplemental forms of coverage and determining when the Homestake Indemnified Parties must be included as additional insureds. The insurance requirements of this document apply not only to Contractors contracting with SDSTA, but also Contractors contracting with Project Participants for work at SURF.

B. Determination of Categories and Required Coverages – Ratings for Commercial Insurers

The Risk Manager shall assign categories of risk and determine types and levels of coverage based upon the following criteria.

The Risk Manager, after evaluating the risks presented by the proposed Project Participant activity or Contract, may decrease the limits otherwise required by these Protocols and may waive coverages otherwise required if the Risk Manager determines reduced limits and/or a waiver of certain coverages will adequately address the risks presented.

Commercial insurance coverage must be provided by an insurer with an A.M. Best rating of A, VII or greater.

C. Categories of Risk

1. Category One ("Negligible Risk"). Contractors and Project Participants whose activities are conducted on the Surface Property only and present a negligible risk of property damage and bodily injury. Examples of these types of activities include:
 - a) Onsite classroom training;

- b) Mail or small parcel delivery (e.g., FedEx or UPS);
- c) Meal delivery;
- d) Office equipment repair and maintenance; and
- e) Project Participant who arrives to select location to collect a sample.

2. Category Two ("Low Risk"). Contractors and Project Participants that:

- a) Will be conducting construction activities on the Surface Property only, and will not be using heavy construction equipment except in connection with a contract of \$50,000.00 or less; or
- b) Will have fewer than ten (10) employees or natural persons who are Representatives of a Project Participant present at SURF (Surface Property or Underground Property) at any one time; and
- c) Will not be using or storing explosives, suffocative, caustic or otherwise dangerous materials.

Examples of "low risk" Contractors or Project Participants are:

- I. Contractor working on water treatment plant modifications;
- II. Project Participant that has graduate students assisting in biological surveys in the Underground Property; and
- III. Consultants not participating in design or quality control inspection.

3. Category Three ("Intermediate Risk"). All Contractors and Project Participants doing work or with a presence on the Surface Property not included in categories One, Two, or Four, and all Contractors and Project Participants doing work in or with a presence in the Underground Property not included in category Two or category Four. Examples of Contractor or Project Participant activities that may be appropriate for this category include the following:

- a) Structural work on the Surface Property, including the use of heavy construction equipment in connection with a contract of more than \$50,000.00, excavation, or blasting.
 - b) Infrastructure work on the Surface Property.
 - c) Transportation on the Surface Property.
 - d) Presence at SURF (Surface Property or Underground Property) at any one time of 10 - 19 Contractor employees or of 10-19 natural persons who are Representatives of a Project Participant.
 - e) Work in buildings occupied by 20 - 49 persons or adjoining a building occupied by 20 - 49 persons.
 - f) Use of storage of suffocative or other hazardous materials on the Surface Property.
4. Category Four ("Other Risk"). Contractors and Project Participants doing work or with a presence on the Surface Property or in the Underground Property meeting one or more of the following criteria:
- a) Contractors or Project Participants conducting particularly hazardous activities, such as excavation, blasting, or the presence, use, or handling of suffocative, caustic, or other hazardous materials in the Underground Property.
 - b) Use of heavy equipment in the Underground Property.
 - c) Underground Property infrastructure work.
 - d) Underground Property transportation or movement of equipment or personnel, including hoists and winches.
 - e) Work in buildings occupied by fifty or more people, or adjoining a building occupied by fifty or more people.
 - f) The presence onsite at SURF (Surface Property and/or Underground Property) of twenty or more employees of a Contractor or its subcontractors and consultants, or of twenty or more natural person Representatives of a Project Participant.

g) Contracts or Projects with a value of \$5 million or more.

h) Installation or manipulation of high-voltage infrastructure and related equipment.

D. Standard Insurance Requirements

1. See Appendix E for detailed standard insurance requirements for each category of risk.

E. Ancillary Coverages – Workers Compensation Coverage

1. Illustration 1 describes when supplemental insurance coverages should be required; in many cases more than one type of insurance may be required. To use Illustration 1, identify the activity(ies) to be performed by the Contractor or Project Participant in the first column of the table. Then note the insurance coverage necessary to protect against losses that may arise from that activity. Finally, proceed to Section III.E.2 below to determine whether to modify the standard insurance requirements.

Illustration 1
Ancillary Coverage Requirements by Contract Activity Involved

Contract Activity Involved	Professional Liability	Contractor's Pollution Liability	Builders Risk	Aviation Liability	Cargo Insurance	Installation Floater	Automobile Liability
Construction or Remodeling Projects - Construction or remodeling projects over \$50,000		X (including contracts for grading or paving)	X (excluding contracts for grading or paving)				
Hazardous or Waste Materials - Removal of asbestos or lead-based paint; or the use, application, transport, removal, cleanup, or		X					

disposal of hazardous material in quantities of 100 gallons or more; or the disposal, treatment, transport, or storage of waste.							
Installation of Equipment		X ((when the installation or testing of the equipment involves the use of involves the use of asphyxiants (including otherwise benign gases or vapors which displace breathable air) or hazardous or other materials excluded from coverage under a commercial general liability policy)				X	

Professional Services - Services from an accountant, architect, attorney, claims administration firm, consultant (including design consultants), engineer, financial advisor, medical professional, or other person who maintains a professional license.	X						
Supply - FOB Destinations - Supplying of all goods and equipment where contractor is responsible for the goods/ equipment to the point of delivery (FOB destination).					X (as appropriate)	X (as appropriate)	
Use of Aircraft /Helicopters				X			
Use of automobiles, but excluding natural persons operating personal leased, hired, or owned automobiles							X

2. Based upon Illustration 1 above, the following supplemental coverages shall be required.

a) Aviation Liability Insurance

- i. Aviation liability insurance coverage shall provide limits of not less than \$5,000,000 per occurrence for airplanes/helicopters with seven (7) seats or less; \$10,000,000.00 per occurrence for aircraft/helicopters with eight (8) to twelve (12) seats; and \$25,000,000.00 for aircraft/helicopters of greater than twelve (12) seats, for aircraft/helicopters utilized for material or equipment delivery to SURF, and for aircraft/helicopters utilized for firefighter or material application (such as dust control). Coverage for material application shall include coverage for overspray and chemical drift.
- ii. The policy shall be endorsed to include SDSTA and its directors, officers, employees, and agents as additional insureds, and a waiver of subrogation in favor of SDSTA and its directors, officers, employees, and agents.

b) Builders Risk Insurance

- i. All Risk Builders Risk insurance shall include Special Form coverage or its equivalent, at replacement cost for materials, supplies, equipment, machinery and fixtures that are, or will become, part of SDSTA-owned property, and shall include the cost of labor to repair or replace the damaged or destroyed materials, equipment, machinery, and fixtures. Such insurance shall:

- (a) Remain in effect until completion of the work and acceptance by SDSTA; and
- (b) Include coverage for earthquake, flood, ordinance or law, temporary offsite storage, debris removal, pollutant cleanup and removal, preservation of property, excavation costs, landscaping, shrubs and plants, and full collapse coverage during construction.

c) Cargo Insurance

- i. Cargo insurance coverage shall cover the value of the goods or equipment to be delivered until the goods or equipment is accepted by the owner.

d) Installation Floater

- i. Installation floater coverage shall cover the value of the equipment to be installed. Such insurance shall include:
 - (a) The owner as insured; and
 - (b) Coverage for testing, water damage, mechanical breakdown, and electrical injury.

e) Pollution Liability Insurance

- i. Contractor's pollution liability or substantially similar commercial insurance coverage shall provide a limit for bodily injury, property damage, cleanup, and defense costs with limits not less than \$10,000,000.00 per claim and \$10,000,000.00 annual aggregate. The Risk Manager will consider the coverage afforded by other policies, including exclusions in other forms of coverage, when determining whether to require pollution liability insurance coverage for equipment installation. The Risk Manager may require lower limits of liability for work which the Risk Manager concludes will result in risks not requiring these higher limits. The requirements of this subsection may be met by way of an appropriate project-specific commercial pollution liability policy.
- ii. The policy shall be endorsed to include SDSTA and its directors, officers, employees, and agents; the State of South Dakota and its elected officials, appointed officials, employees, and agents; the Homestake Indemnified Parties; the United States Department of Energy; and any other parties as required by the applicable contract as additional named insureds.

f) Professional Liability Insurance

Professional liability insurance coverage shall provide limits not less than \$1,000,000 per claim and \$2,000,000 annual aggregate or as otherwise provided in Appendix E. Limits of \$5,000,000.00 per claim and \$10,000,000.00 aggregate shall apply to contracts involving design work for excavation and other work involving a risk of subsidence or collapse in the Underground Property. The aggregate limit of liability shall apply separately to SDSTA. Professional liability insurance shall not be required of Project Participants who are self-performing the design of equipment associated with an experiment located at SURF or the employees of such Project Participants.

g) Automobile coverage

Proof of automobile liability coverage is not required of natural persons operating their personal hired, leased, or owned automobiles. However, all natural persons and entities, including Contractors, Project Participants, their officers, directors, agents, employees, and representatives are reminded South Dakota law requires persons operating motor vehicles in South Dakota to establish proof of financial responsibility, including through automobile liability insurance. See SDCL Ch. 32-35.

3. a) Contractors and US-based Project Participants must prior to the affected person coming onsite at SURF provide SDSTA with evidence of workers compensation coverage complying with the requirements of SDCL 62-5-1 through 62-5-5. Contractors and US-based Project Participants may not elect to operate outside SDCL Title 62. (See SDCL 62-5-7). In lieu of the foregoing, a Contractor or US-based Project Participant may provide evidence of compliance with the same or similar requirements of another state or territory of the United States and evidence of coverage for employees working at SURF.
- b) Project Participants who are not US-based but whose home countries require or provide for workers compensation coverage which by law may provide coverage for employees working at SURF must provide evidence to SDSTA of such coverage before working on site at SURF.
- c) Project Participants who are not US-based and whose home countries do not require or provide for workers compensation coverage which by law could apply to employees working at SURF must prior to coming onsite at SURF provide SDSTA evidence of medical insurance coverage.

F. Insurance Requirements for Contracts with Certain Funding Agencies – Large “Other Risk” Projects

1. The insurance requirements for contracts, including grant agreements, entered into between SDSTA and the United States government and its contractors and subcontractors to provide funding for the general operations and maintenance of SURF shall be negotiated by the Executive Director, in consultation with the Chairperson of the Board, SDSTA's legal counsel, and the Risk Management Consultant, taking into account the insurance requirement provisions of the PDA and these Protocols, the risk

to SDSTA and the State of South Dakota, and the overall best interests of the overall mission of SDSTA.

2. For "Other Risk" projects with 50 or more persons underground at any one time or with a project cost of \$50,000,000.00 or more the Contractor or Project Participant, as applicable, must provide an owner-controlled insurance program or other, similar "wrap up" insurance program with broad form liability coverage with limits of liability of not less than \$25,000,000.00 per occurrence and \$25,000,000.00 aggregate; without limiting the generality of the foregoing, the program may not include an exclusion for underground subsidence or underground water impoundment. The program need not include coverage for damage to DOE-owned property. Workers compensation coverage may be provided through the program or as provided in Article III, Subsection E.4 of these protocols.

The requirement for a "wrap-up" insurance program may be waived if the Project Participant can demonstrate such coverage is not available in the commercial insurance market or is not available at a cost comparable to similar insurance for another commercial or civil project with a similar risk profile; in the event of such a waiver, the "Other Risk" insurance requirements of these Protocols shall remain in effect. In addition to such owner-controlled or other "wrap up" insurance program, SDSTA shall control the purchase of its own general liability and pollution coverage as required by the PDA, the cost of which shall be paid by the Project Participant or other external funding source so long as the cost is reasonable.

3. Anything elsewhere in these Protocols to the contrary notwithstanding, property insurance coverage shall not be required for DOE-owned property.

G. SDSTA as a Contractor

1. In a case where SDSTA serves in the capacity of contractor for any service or project, it will provide appropriate additional insured liability insurance coverage for the service or project subject to the exclusions, sub-limits, and other terms of the applicable insurance policy or other coverage document. The Homestake Indemnified Parties shall be named as an insured or additional insured on any such coverage.
2. Such insurance coverage will be provided through SDSTA's captive primary or excess liability tower, or separate commercial policy.

IV. RISK TRANSFER IN LIEU OF OR IN CONJUNCTION WITH COMMERCIAL INSURANCE

A. Overview

There may be instances where Contractors or Project Participants cannot or will not provide commercial insurance with the coverages and limits of coverage described above. The following sections describe when SDSTA will waive or modify insurance requirements or accept "self-insurance."

B. Waiver of Insurance Requirements

1. There may be situations where it is necessary or appropriate to modify (but not make more restrictive than provided herein) or waive certain insurance requirements. These include situations where:
 - a) There is negligible risk of loss from a particular activity. For example, where the Contractor will not be operating a vehicle in performance of the work, the business automobile insurance requirement will be waived;
 - b) Requiring insurance is inconsistent with industry practice. For example, certain service providers may be unwilling to agree to standard insurance requirements, and it may not be able to procure the service from another provider willing to procure the otherwise required insurance coverage. In these situations, SDSTA will do its best to negotiate the most favorable terms possible to adequately protect SDSTA; and
 - c) The Contractor provides a highly-specialized service such that:
 - (1) The Contractor has substantial leverage in the negotiation process; and
 - (2) SDSTA has no reasonable alternative markets for the services required.
2. In these circumstances and where otherwise appropriate, SDSTA in consultation with the Risk Management Consultant (except with respect to the Negligible Risk and Low Risk categories, in which case no consultation is required), will negotiate the most favorable terms possible and will seek alternative means of transferring and mitigating risk, such as bonding, letters of credit, cash deposits, additional training, additional supervision by SDSTA personnel and/or the provision of qualified SDSTA personnel to

accompany the Contractor or Project Participants or their Representatives as necessary and appropriate.

C. Acceptance of Extraordinary Retentions

In some circumstances, SDSTA, after consultation with the Risk Management Consultant, will accept extraordinary retentions in lieu of traditional commercial insurance. For the purposes of these protocols, the term “extraordinary retention” means retention or deductibles of \$100,000.00. When evaluating proposals to transfer risk in that fashion, the Risk Manager, in consultation with the Risk Management Consultant, shall consider whether the Contractor is publicly-traded or the financial strength of Contractors which are not publicly-traded. The Risk Manager may require proof the Contractor has sufficient means to pay claims within the proposed retention amount, including a certification or letter to that effect from a CPA or other consultant

D. Acceptance of Contractor or Project Participant “Self-Insurance”

Some Contractors or Project Participants may offer coverage through a captive insurance company, “self-insurance,” or some combination of the foregoing, sometimes coupled with reinsurance or excess insurance. When evaluating the acceptability of such offers, the Risk Manager, in consultation with the Risk Management Consultant, shall consider the following:

1. The ability of the offered coverage to provide scope and amounts of coverage reasonably equivalent to those available with a commercial insurance product.
2. Evidence that the alternative arrangement has sufficient financial security to pay claims as presented. A letter from a CPA or actuary may be required providing the CPA's or actuary's conclusion, after utilizing appropriate accounting or actuarial guidelines, that the offered coverage vehicle has sufficient means to provide the required limits.
3. Evidence that the alternative arrangement has an adequate claims management system in place to provide proper handling of claims should they arise.

E. Insurance or Self-Insurance Purchased or Provided by Project Participant Collaborations

In many instances, there will not be a single Project Participant. Rather, a Project may be sponsored by a collaboration of various public and/or private laboratories or institutions of higher learning. In those circumstances, it is the responsibility of the collaboration, through its Project Participants, to provide commercial insurance, “self-insurance,” or some combination of

of the foregoing sufficient to satisfy the requirements of these Protocols. Except for Projects in the "Other Risk" category with more than 50 persons underground at any one time and with a cost of \$50,000,000 or more, the Risk Manager, in consultation with the Risk Management Consultant, may accept evidence of commercial insurance, self-insurance, of some combination of the foregoing that, taken together, result in limits of liability consistent with those required by these Protocols. Any coverage purchased or otherwise provided by SDSTA for Project Participants is in addition to, and not a substitute for, the coverage required of Project Participants by these Protocols.

V. EVIDENCE OF CONTRACTOR OR PROJECT PARTICIPANT COMPLIANCE

A. Certificates of Insurance or Similar Evidence of Coverage

Each Contractor and Project Participant is required to provide SDSTA with evidence of compliance with SDSTA's insurance requirements prior to commencement of work. The evidence of compliance will consist of a certificate of insurance or similar document issued by the Contractor's insurer or broker, or a similar document issued by a risk pool or "self-insurance" fund. Unless similar assurances of limits, nature and extent of coverage, and exclusions may be obtained from another authoritative source, to the fullest extent possible without violating confidentiality obligations, copies of policies and/or other coverage documents shall be provided upon request.

B. Review

The insurance demonstrated on the evidence of coverage document (which may include a certificate of insurance) will be compared to the contract requirements by the Risk Manager or the Risk Manager's designee. To assist SDSTA personnel reviewing the proof of coverage, the completed contract review checklist may be used in lieu of the actual contract. The Risk Manager or designee will review the evidence of insurance to verify:

1. The Contractor or Project Participant maintains the type of coverage and limits required in the contract, memorandum of understanding, or similar document;
2. The Contractor's or Project Participant's insurers maintain financial ratings acceptable to SDSTA and the Risk Management Consultant;
3. The Contractor's or Project Participant's policies are current;

4. The required "additional insured" language is included with respect to the Contractor's general liability policy (and pollution liability policy where applicable);
5. The appropriate cancellation notice language is included; and
6. Other insurance requirement provisions are compiled with, and the evidence of coverage otherwise contains complete and accurate information.

C. Samples

Sample certificates of insurance are provided in the following appendices.

1. Appendix F – Evidence of insurance required by contracts under Category 2.
2. Appendix G – Evidence of insurance required by contracts under Category 3.

Appendix J includes a certificate of insurance review checklist. SDSTA may use the checklist to assist in and document the review of the evidence of coverage provided. The checklist items are ordered as they would ordinarily appear on a typical certificate of insurance.

D. Examples of Unsatisfactory Evidence of Compliance

When reviewing certificates of insurance there may be omissions, inaccuracies, or other instances where the evidence of coverage does not appear to provide reliable evidence of compliance with SDSTA requirements. Common examples of those deficiencies and how SDSTA responds to them are listed below.

1. The Contractor or Project Participant is not the insured. This may be an error on the part of the issuer. For example, it is possible the parent company of the Contractor is named. If so, SDSTA asks for evidence of coverage that identifies both the parent and its subsidiary as the insured.
2. The insurer is not rated by A.M. Best or maintains an A.M. Best rating below A-, VII.
3. The actual name(s) of the insurer(s) may be missing or inaccurately displayed on the evidence of coverage. The name must be re-confirmed with the agent/broker. If the evidence of coverage does not accurately reflect the name(s) of the coverage provider, the Risk Manager shall be notified and the evidence rejected.

4. Contractor or Project Participant evidences of coverage have effective dates later than the contract or memorandum of understanding effective date. The Contractor or Project Participant must provide documentation evidencing coverage effective prior to or coincidental with the contract's effective date or the project's initiation date.
5. Contractor or Project Participant coverages expire prior to contract expiration or project completion SDSTA will schedule follow-up contact with the Contractor, Project Participant, or its or their broker or other representative at the time the evidence of coverage is scheduled to be renewed. The date scheduled for follow-up will be no less than two (2) weeks prior to expiration of the coverage. SDSTA will request that updated proof be issued evidencing coverage with a coverage period of an additional twelve (12) months. The failure to maintain continuous coverage will result in a stop work order from SDSTA.
6. The evidence provided does not match SDSTA requirements. The Contractor or Project Participant must supply evidence of the coverage required. Some Contractors or Project Participants may have more than one coverage provider. If the evidence of coverage being reviewed does not include all required coverages, it is possible the Contractor or Project Participant needs to request the other coverage providers to issue documentation evidencing the missing insurance.
7. Coverage limits do not match SDSTA requirements. Be sure excess liability limits are considered. These limits are often listed separately on the evidence of coverage, and are not included in the commercial general liability coverage limits. If necessary, the Contractor or Project Participant must submit revised evidence of coverage evidencing the required limits.
8. The evidence of coverage does not include evidence of the existence of an additional insured endorsement naming the appropriate parties as additional insureds. The evidence provided may fail to identify one or all of the appropriate parties as additional insured. If the Contractor or Project Participant is unwilling to provide evidence of this endorsement with appropriate language, notify the Risk Manager and reject the certificate(s).
9. The evidence of coverage discloses a retention and/or deductible in excess of the amount permitted under these Protocols. SDSTA is relying on the evidence of coverage issuer to report retentions on the evidence documentation.

10. Cancellation notice is less than 10 days for nonpayment and 30 days for other causes or is unspecified. New evidence indicating the proper notice of cancellation of provision will be requested.
11. The evidence is not authenticated in some appropriate fashion. The Contractor or Project Participant must provide authenticated evidence of coverage prior to commencement of work.

INTERGOVERNMENTAL AGREEMENT
BETWEEN THE
BUREAU OF ADMINISTRATION,
OFFICE OF RISK MANAGEMENT
OF THE STATE OF SOUTH DAKOTA
AND THE
SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY

This INTERGOVERNMENTAL AGREEMENT (“AGREEMENT”) is made and effective the 1st day of July, 2023², between the South Dakota Bureau of Administration, Office of Risk Management, 1429 E. Sioux Avenue, Pierre, South Dakota 57501 (“ORM”), and the South Dakota Science and Technology Authority, 630 E. Summit, Lead, South Dakota, 57754 (“SDSTA”) pursuant to SDCL Ch. 1-24 and in particular SDCL 1-24-8.

Introduction and Purpose

The State of South Dakota established SDSTA to facilitate the development of the former Homestake gold mine into an underground science laboratory (the “Sanford Underground Research Facility” or “SURF”) and to lead the operation of SURF. The mission of the SDSTA is “to advance world class science and inspire learning across generations.”

When operating as an active mine, the Homestake gold mine was regulated by the U.S. Mine Safety and Health Administration (“MSHA”) and the South Dakota Department of Environment and Natural Resources (“DENR”)¹. SDSTA received title to the Homestake site in 2006 from Homestake Mining Company of California after the 2003 closure of the mining facility.

MSHA and DENR continued to administer and enforce safety and environmental programs until 2008, at which time the SDSTA sought to clarify MSHA’s regulatory role. MSHA determined at that time it no longer had regulatory jurisdiction over the safety and health operations at the Homestake site due to the completion of mining reclamation and the new function of the site.

The U.S. Occupational Safety and Health Administration’s (“OSHA’s”) 29 CFR 1926² and 29 CFR 1910³ are considered the most applicable of the available standards for safety and health for most activities conducted in support of the development and operation of SURF except for the underground shafts, hoists and ventilation systems. In these instances, MSHA’s 30 CFR⁴ standards are employed (see appendix A).

Although OSHA standards are being applied to the work conducted at SURF, OSHA does not have jurisdictional authority for enforcement of those regulations because SDSTA is for the purposes of OSHA standards and regulation a “political subdivision” as defined in 29 CFR 1975.5 because it is administered by individuals who are appointed by the Governor.

ORM has the responsibility to oversee the state’s risk management activities. Accordingly, ORM is the agency that is mandated to provide the inspection and audit of state institutions and

¹ Pursuant to Executive Reorganization Order 2021-03 DENR was merged with the South Dakota Department of Agriculture and is now referred to as Department of Agriculture and Natural Resources (DANR).

² Title 29 Code of Federal Regulations Part 1926, “Safety and Health Regulations for Construction”

³ Title 29 Code of Federal Regulations Part 1910, “Occupational Safety and Health Standards”

⁴ Title 30 Code of Federal Regulations Parts 15, 49, and 57”

facilities and has been designated to serve as the authority having jurisdiction (“AHJ”) for occupational safety and health at SURF. In cooperation with the SDSTA, ORM also provides leadership in risk management, loss control and insurance matters at SURF.

SDSTA has entered into a lease (the “Lease”) with the United States of America, acting through the Department of Energy (the “Government”), dated March 29, 2016, whereby SDSTA has leased to the Government certain surface and subsurface real estate for the purpose of constructing, operating and maintaining the Long-Baseline Neutrino Facility (“LBNF”) and the Deep Underground Neutrino Experiment (“DUNE”), and related infrastructure (the “Leased Space”). Fermi Research Alliance, LLC (“FRA”) manages the LBNF/DUNE project for the Government through Contract No. DE-AC02-07CH11359 between FRA and the Government for the operation of the Fermi National Accelerator Laboratory (“Fermilab”). ORM’s jurisdiction hereunder shall not include the Leased Space, but SDSTA and ORM shall continue to consult and cooperate concerning occupational safety, health, risk management, loss control and insurance related to the Leased Space.

The purpose of this Agreement is to clarify the roles and responsibilities, expectations and communications for ORM to serve as the AHJ for SDSTA in the implementation of the occupational safety and health standards.

This Agreement is authorized pursuant to SDCL Ch. 1-24 and SDCL 1-16H-32.

Agreement

A. Safety Standards Applicable to SDSTA.

Until amended in writing by ORM, the safety standards applicable to SDSTA’s facilities and operations will be as set out in Appendix A, attached hereto and incorporated herein by this reference. The parties agree that ORM may unilaterally amend Appendix A at any time and in their sole discretion, and all such amendments shall be incorporated herein effective upon 30 days written notice to SDSTA. The parties further acknowledge and agree that the agency having jurisdiction over the enforcement of building (International Building Code) and fire safety (National Fire Protection Association) codes and standards is the City of Lead, South Dakota. ORM shall not have jurisdiction to apply or enforce any building codes or fire safety standards but will identify, notify and consult with the entity having enforcement authority with respect to such codes and standards.

B. Responsibilities of the ORM.

ORM will:

1. Provide for safety, loss control and regulatory compliance audits and inspections of SDSTA’s documentation, records and facilities.
2. Review claims to identify trends or situations requiring loss prevention efforts.
3. Advise SDSTA on applicable laws, regulations and standards which contribute to a safe work environment at SURF.
4. Provide for loss control training.
5. Upon request, review contracts for appropriate risk management language.

6. The Director of ORM and the Board of Directors of SDSTA (which may delegate authority to the Executive Director of SDSTA) have sole authority to select, negotiate and bind insurance coverage.
7. Provide enforcement of the safety standards made applicable to SDSTA's facilities by this Agreement.
8. Identify safety and risk exposures and take appropriate steps to address such safety and risk exposures.
9. Provide copies of the results of safety or compliance reviews, inspections or audits to SDSTA upon completion.
10. Attend quarterly meetings held with SDSTA and FRA through the duration of LBNF construction for discussion of matters related to occupational safety, health, risk management, loss control and insurance.
11. Attend any SDSTA Board meetings wherein there will be considerations regarding safety and insurance.

C. Risk Management Responsibilities of SDSTA.

SDSTA will:

1. Be responsible for coordinating and implementing risk management programs within its departments and at its facilities with the assistance of ORM. SDSTA will provide a safe workplace and conduct operations in a manner that protects employees, contractors, visitors and the public from harm. The SDSTA shall conform to its safety policy: "Perform all work safely, with full regard to the well-being of all stakeholders and the environment."
2. Perform all activities at SURF in a safe and environmentally sound manner.
3. Pursuant to Section 6.7 of the Property Donation Agreement⁵ between SDSTA and Homestake, undertake all measures necessary to comply with federal, state, and local laws and regulations, including, without limitation, laws relating to workers' compensation, mine health and safety, and all Environmental, Health and Safety Laws (as defined in the Property Donation Agreement), and shall apply in a timely manner for all Environmental Permits (as defined in the Property Donation Agreement) and all other permits, licenses and approvals necessary for its operations.
4. Assist ORM in identifying, measuring and minimizing exposures to loss by:
 - a. Conducting facility inspections to identify and address safety hazards;
 - b. Conducting services and operations in accordance with applicable laws, regulations and safety standards;
 - c. Properly reporting accidents, incidents and unsafe conditions;
 - d. Reviewing losses to identify trends or situations requiring loss prevention efforts;
 - e. Ensuring policies and procedures remain current, are communicated to all employees and enforced;
 - f. Drafting all contracts with the appropriate risk management language;
 - g. Communicating changes in exposures to ORM; and
 - h. Evaluating ORM's recommendations.

⁵ Property Donation Agreement Between and Among Homestake Mining Company of California, The State of South Dakota and the South Dakota Science and Technology Authority, April 14, 2006.

5. Comply with all safety and enforcement directives and actions given by ORM.
6. The Board of Directors of SDSTA (which may delegate its authority to the Executive Director of SDSTA) and the Director of ORM have sole authority to select, negotiate, and bind insurance coverage.
7. Arrange quarterly meetings between SDSTA, ORM and FRA through the duration of LBNF construction for discussion of matters related to occupational safety, health, risk management, loss control and insurance.
8. Invite ORM to all SDSTA Board meetings, supply ORM copies of the agendas and specifically advise ORM whether the Board will be considering matters of safety and insurance.
9. Provide ORM with a schedule of any outside inspections and calendar events reasonably in advance.
10. Comply with requests from ORM for information and documents related to safety or compliance reviews, inspections or audits, including, to the extent available to SDSTA, any such reviews, inspections or audits related to activities in the Leased Space.

D. Agreement Administration.

The cooperative undertaking herein described shall be administered by the Parties through their risk management contact persons: ORM through its Director and SDSTA through its Executive Director or authorized designees as contemplated in SDCL 1-24-5.

E. Reporting.

SDSTA employees and SURF users and contractors may contact ORM directly and without risk of retaliation if they feel there is substantial risk of harm to persons or the environment that is not being addressed by SDSTA management. SDSTA will communicate this procedure to all employees and will post notifications regarding this throughout SDSTA facilities. The notification will include ORM's phone number and email addresses as designated by ORM.

F. Site Access Rules.

1. SDSTA will provide accommodations for ORM to have unencumbered access to SDSTA facilities and operations.
2. The parties acknowledge and agree that representatives of ORM conducting activities relating to this Agreement are "Authorized Entrants" as that term as used in the Property Donation Agreement.
3. Access to underground and other hazardous environments shall be provided.

G. Right to Inspect.

1. ORM has the right to inspect SDSTA facilities at will and with no advance notification when there is cause.
2. ORM will otherwise provide reasonable notification in advance of scheduled visits.
3. ORM may require SDSTA to undertake third party inspections or oversight visits, or may

contract for such inspection and oversight visits in its own right at SDSTA's expense. ORM will consult and coordinate with SDSTA in advance concerning unanticipated expenses relating to inspection or oversight visits.

4. SDSTA will provide timely notifications to ORM when third party inspections or oversight visits are scheduled, and ORM may observe such third-party inspections or oversight visits at ORM's discretion.
5. SDSTA will provide ORM the results and any findings from all third-party reviews or inspections that are related to the ORM's scope as stated in this agreement.

H. Payment of Costs.

SDSTA will upon request reimburse ORM for services and related charges at the rates shown in Appendix B and actual expenses and other costs incurred by ORM in connection with ORM's responsibilities hereunder. Costs of travel, lodging and meals will be reimbursed at state rates as established by the State Board of Finance. ORM shall provide or cause to be provided to SDSTA a written invoice, on no less than a quarterly basis, for costs and services incurred by ORM under this Agreement. SDSTA will contest any portions of the invoice it deems unreasonable and pay any uncontested amount within ~~forty-fivethirty~~ (3045) days of receipt of the invoice. ~~SDSTA agrees to pay all uncontested costs and expenses within forty-five (45) days of receipt of invoice.~~

I. Indemnification and Insurance.

SDSTA will indemnify and hold the officers, agents and employees of the State of South Dakota ("Indemnified Parties") harmless from and against any and all claims, causes, actions or causes of action made or asserted against the Indemnified Parties arising out of related to ORM's duties and responsibilities under this Agreement. SDSTA shall cause the Indemnified Parties to be named as additional insureds under SDSTA's general liability policy. The limits of liability of SDSTA's general liability policy shall not be less than \$75 million. SDSTA shall provide such proof of the existence and enforceability of the insurance required by this paragraph as ORM may from time to time reasonably request. Nothing in this paragraph (I) shall require SDSTA to indemnify ORM or its officers, employees or agents against any claims or losses resulting solely from the negligence or intentional acts of its officers, employees or agents of ORM.

J. Exclusion of Leased Space.

ORM hereby acknowledges receipt of a copy of the Lease. For so long as the Lease remains in force or the parties agree otherwise, ORM's jurisdiction hereunder shall not include the Leased Space. SDSTA and ORM will continue to consult and cooperate concerning occupational safety and health related to the Leased Space.

K. Duration of Agreement.

This Agreement shall be in effect from July 1, 202~~2~~3, through June 30, 202~~3~~4.

L. Remedies - Enforcement.

ORM is entitled to all remedies necessary to carry out the terms of this Agreement and enforcement of the environment, safety and health standards made applicable to SDSTA and its facilities by this Agreement. Without limiting the generality of the foregoing, ORM may pursuant to the terms of this Agreement issue an administrative order directing SDSTA to cease operations and/or close all or any portion of its facilities until such time as the environment, safety and health standards violation giving rise to the administrative order has been resolved to ORM's reasonable satisfaction.

When ORM has identified insurance gaps that ORM believes create risk and exposure to SDSTA and SURF and that have not been resolved to ORM's reasonable satisfaction, the ORM Director will provide written notice to the SDSTA Board Chairperson requesting a timely resolution. Resolutions and remedies regarding the identified insurance coverage concerns will be agreed to by ORM and the SDSTA Board of Directors. If there is no agreed upon resolution in a timely manner, this Agreement is subject to termination. A copy of all written notices shall also be provided to the Governor's Office.

M. Retention of Records.

Each party hereto agrees to retain all documentation and records relating to the services and inspections provided for hereunder and for payment and reimbursements for expenses under this Agreement for a period of three (3) years after termination of this Agreement. Such records shall be available for inspection at any reasonable time by personnel authorized therefore by the State of South Dakota.

N. Funding Out.

This Agreement depends upon the continued availability of appropriate funds and expenditure authority from the Legislature for this purpose. If for any reason the Legislature fails to appropriate funds or grant expenditure authority, or funds become unavailable by operation of law or federal funds reductions, this Agreement will be terminated by ORM. Termination for any of these reasons is not a default by the ORM nor does it give rise to a claim against ORM.

O. Nature of Agreement.

This Agreement is intended to be an agreement for services by a public agency as contemplated by SDCL 1-24-8. The parties acknowledge that no separate entity as contemplated by SDCL 1-24-4 is being created to implement this Agreement. This Agreement is intended to only govern the rights and interest of the parties named herein. It is not intended to, does not and may not be relied upon to create any rights, substantial or procedural, enforceable at law by any third party in any matters, civil or criminal. SDSTA is authorized to enter this Agreement by virtue of SDCL 1-16H-32.

P. Governing Law-Venue.

This Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Sixth Judicial Circuit, Hughes County, South Dakota.

Q. Notice.

Any notice or other communication required under this Agreement shall be in writing and sent to the address set forth above. Notices shall be given by and to the Director of ORM, and by and to the Executive Director of SDSTA, or such authorized designees as either party may from time to time designate in writing. Notices or communications to or between the parties shall be deemed to have been delivered when mailed by first class mail, provided that the notice of default or termination shall be sent by registered or certified mail, or, if personally delivered, when received by such party.

R. Filing of Agreement.

The parties acknowledge that the ORM will file a true copy of this Agreement with the Office of Attorney General and the Legislative Research Council within fourteen (14) days of the execution hereof, as required by SDCL 1-24-6.1.

S. Alterations and Entire Agreement.

Except as provided in section A. of this Agreement, no amendment, alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by both parties. No oral understanding or agreement not incorporated herein may be binding on any of the parties hereto. Terms expressly stated within the Agreement constitute the entire agreement between ORM and SDSTA. All other prior discussions, communications and representations concerning the subject matter of this Agreement are superseded by the terms of this Agreement, except as specifically provided herein.

T. Partial Invalidity.

In the event that any court of competent jurisdiction shall hold any provision of this Agreement unenforceable or invalid, such holding shall not invalidate or render unenforceable any other provision hereof.

U. Authorization of Agreement.

By the signature of their representatives below, ORM and SDSTA certify that approval of this Agreement by ordinance, resolution or other appropriate means has been obtained by that governmental body's governing body or officer pursuant to SDCL 1-24-3 and 1-24-6, and that the representative is authorized to sign on the party's behalf. A copy of any SDSTA

authorizing resolution or ordinance is attached to this Agreement and incorporated herein by reference.

In Witness hereto the parties signify this Agreement by signatures affixed below:

Mike Headley
Executive Director
South Dakota Science and Technology
Authority

Scott W. Bollinger
Commissioner
Bureau of Administration
State of South Dakota

Date _____

<u>SUBJECT</u>	<u>REFERENCE</u>
<u>Asbestos</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.1001 • SD Administrative Rule 74:36:08
<u>Biosafety</u>	<ul style="list-style-type: none"> • ESH Manual • Center for Disease Control (CDC) Guidelines
<u>Bloodborne Pathogens</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.1030
<u>Compressed Gases</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.101, Subpart H
<u>Confined Spaces</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.0146
<u>Control of Hazardous Energy / Lock Out Tag Out</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.147 • 29 CFR 1910.269 • 29 CFR 1926.46 • 29 CFR 1926.417 • NFPA 70 • NFPA 70E
<u>Cranes and Hoists (excluding underground conveyances)</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910, Subpart N • 29 CFR 1926, Subpart N
<u>Cryogenic Systems</u>	<ul style="list-style-type: none"> • ESH Manual
<u>Diesel Particulate Matter (DPM)</u>	<ul style="list-style-type: none"> • 30 CFR 57.5060 – .5075
<u>Disablement or Impairment of Critical Safety Equipment</u>	<ul style="list-style-type: none"> • ESH Manual
<u>Electrical Safety</u>	<ul style="list-style-type: none"> • ESH Manual • NFPA 70 E • 29 CFR 1910, Subpart S • 29 CFR 1926, Subpart K • NFPA 70 B • NFPA 101, Life Safety Code • Department of Energy (DOE) 10 CFR Ch. III Part 851, Work Safety and Health Program
<u>Emergency Eyewash and Shower Equipment</u>	<ul style="list-style-type: none"> • 29 CFR 1910.151 (c)
<u>Emergency Management</u>	<ul style="list-style-type: none"> • ESH Manual • National Incident Management System • 30 CFR 57.11050 - .11059 • 29 CFR 1910.38(a)

<u>SUBJECT</u>	<u>REFERENCE</u>

Appendix A – SURF Environment, Safety and Health Standards

<u>SUBJECT</u>	<u>REFERENCE</u>
Emergency Response Team	<ul style="list-style-type: none"> • 30 CFR 49, Subpart A • NFPA 2500 – Rope and Equipment
ESH Training	<ul style="list-style-type: none"> • ESH Manual
Explosive Materials Management	<ul style="list-style-type: none"> • ESH Manual • 27 CFR 555 • 29 CFR 1910, Subpart N • 29 CFR 1926, Subpart U • 29 CFR 1926.800 (p) (1,2) • 29 CFR 1910.109 • 30 CFR 15 • 30 CFR 57, Subpart E • ATF Form 5400.14/5400.15 Part I • DOE-STD-1212-2012 (content evaluated for ATF equivalency) • Memorandum of Understanding between the Department of Justice (ATF) and the Department of Labor (MSHA), Metal and Non-Metal General Inspection Procedures Handbook No.PHI3-IV-J • South Dakota Department of Public Safety Office of State Fire Marshal Explosives Permit
Facility Access	<ul style="list-style-type: none"> • SURF Environment, Safety, and Health (ESH) Manual
Fall Protection and Prevention	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910, Subpart D • 29 CFR 1910, Subpart F • 29 CFR 1910, Subpart I • 29 CFR 1926, Subpart M • 29 CFR 1926, Subpart L • 29 CFR 1926, Subpart X
Fatigue Management	<ul style="list-style-type: none"> • ESH Manual
Fire Prevention & Protection	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.39 • 29 CFR 1926, Subpart F • International Building Code (IBC) 2009 • International Fire Code (IFC) 2009 • National Fire Protection Association (NFPA) National Fire Codes and Standards. • 30 CFR, Mine Safety Regulations (MSHA), Selected Subchapters

<u>SUBJECT</u>	<u>REFERENCE</u>
<u>Ground Control</u>	<ul style="list-style-type: none"> • 30 CFR 57.3200 – .3401
<u>Guide and Guide Training</u>	<ul style="list-style-type: none"> • ESH Manual
<u>Hazard Communications</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.1200 • 29 CFR 1910.1450 • NFPA 704
<u>Hearing Conservation</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.0095
<u>Hoists and Shafts (includes personnel hoisting, underground conveyances, wire ropes, inspection, maintenance, etc.)</u>	<ul style="list-style-type: none"> • 30 CFR 57.1900 - .1934
<u>Hot Work</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910, Subpart Q
<u>Illumination</u>	<ul style="list-style-type: none"> • 29 CFR 1926.56(a)
<u>Incident Reporting and Investigation</u>	<ul style="list-style-type: none"> • ESH Manual
<u>Industrial Hygiene</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.1000
<u>Lead (Pb)</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.1025
<u>Machine Safeguarding</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.212 • 29 CFR 1910.215, Subpart O • 29 CFR 1926.404(b)(1)(i)
<u>Materials Handling and Storage</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910, Subpart N
<u>Oxygen Deficiency Hazards (ODH)</u>	<ul style="list-style-type: none"> • ESH Manual
<u>Personal Protective Equipment (PPE)</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910, Subpart I
<u>Powered Industrial Trucks (PITs)</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.178
<u>Radiation Safety</u>	<ul style="list-style-type: none"> • ESH Manual • Nuclear Regulatory Commission • 29 CFR 1910.1096 • 49 CFR 173 • 30 CFR 57, Subpart D
<u>Respirable Crystalline Silica</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.1053
<u>Respiratory Protection</u>	<ul style="list-style-type: none"> • ESH Manual • 29 CFR 1910.0134 • 29 CFR 1910.1020 • 30 CFR 57.15030
<u>Severe Weather Management</u>	<ul style="list-style-type: none"> • ESH Manual

<u>SUBJECT</u>	<u>REFERENCE</u>
<u>Severe Weather Management (cont.)</u>	<ul style="list-style-type: none"> • <u>NFPA-780</u> • <u>National Weather Service</u>
<u>Slings, Rigging and Below-the-Hook Devices</u>	<ul style="list-style-type: none"> • <u>ESH Manual</u> • <u>CFR 29 1910.179, .184</u> • <u>CFR 29 1926.251, .753</u>
<u>Stairways</u>	<ul style="list-style-type: none"> • <u>29 CFR 1926, Subpart X</u>
<u>Stop Work</u>	<ul style="list-style-type: none"> • <u>ESH Manual</u>
<u>Transportation Safety</u>	<ul style="list-style-type: none"> • <u>ESH Manual</u> • <u>South Dakota Codified Laws, Title 32, Motor Vehicles</u> • <u>49 CFR 40</u> • <u>49 CFR 382</u> • <u>29 CFR 1926.600</u> • <u>29 CFR 1926.800</u> • <u>30 CFR, 56.14207 & 57.14207</u>
<u>Trenching and Excavation</u>	<ul style="list-style-type: none"> • <u>ESH Manual</u> • <u>29 CFR 1926.650 – .652</u>
<u>Underground construction</u>	<ul style="list-style-type: none"> • <u>SDSTA Underground Construction Materials & Practices Design Standard</u> • <u>30 CFR Part 57, Subpart C</u> • <u>NFPA 520 Subterranean Spaces</u>
<u>Ventilation</u>	<ul style="list-style-type: none"> • <u>SDSTA Ventilation Standard</u> • <u>30 CFR 57.22212 – .22229(b)</u> • <u>30 CFR 57.8518 – .8535</u> • <u>29 CFR 1926.800(K)</u> • <u>40 CFR 89.112</u>
<u>Work Planning Control</u>	<ul style="list-style-type: none"> • <u>ESH Manual</u>

1.0 Workplace Safety

~~Below the Hook Lifting Devices & Slings/Rigging Hardware~~

~~Chemical Labeling and Identification~~

~~Cranes & Hoists~~

~~(Excludes underground conveyances—See *Personnel Hoisting, Wire Ropes, Headframe and Sheaves, Conveyances, Hoisting Procedures, Shafts, Inspection and Maintenance*)~~

~~Diesel Particulate Matter~~

~~Disablement and Impairment~~

~~Emergency Management Standard~~

~~Emergency Eyewash and Shower Equipment (Installation, Inspection, Maintenance and Use)~~

~~Escapeways and Refuges~~

~~Explosives Materials Management~~

~~OSHA 1910 / 1926, ASME B30.20~~

~~NFPA 704, 29 CFR 1910.1200~~

~~29 CFR 1910, Subpart N, OSHA General Industry Standards~~

~~30 CFR 7.5060—.5075~~

~~SURF ESH Manual~~

~~National Incident Management System~~

~~ANSI Z358.1 2009, 29 CFR 1910.151(c)~~

~~30 CFR 57.11050—.11059~~

~~27 CFR 555, 29 CFR 1926, Subpart U,~~

MSHA/ATF Agreement, MSHA/ATF Equivalency Agreement

State of South Dakota Explosives Permit Application for Permit to Purchase, Use, Transport, Sell or Manufacture Explosives Form

Fall Prevention and Protection

Fatigue Management

Ground Control

Hazardous Communications

Materials Handling and Storage

MSHA Mine Rescue Teams

National Fire Alarm Code

Oxygen Deficiency Hazards (ODH)

Personal Protective Equipment

Personnel Hoisting, Wire Ropes, Headframe and Sheaves, Conveyances, Hoisting Procedures, Shafts, Inspection and Maintenance

Quality Assurance

Radiation Safety

Respiratory Protection

Scaffolds

Severe Weather Management

Stairways

Underground Construction

Ventilation and Ventilation Plan

Ventilation Underground

Walking Working Surfaces

2.0 Building Codes and References

Automatic Sprinklers

Boilers and Pressure Vessel Code
(Sections I through XII including applicable Code Cases)

Building Codes

Building Services Piping

Community Noise Exposure

Cranes and Hoist Standards

Electrical Safety in the Workplace

Emergency and Standby Power Systems

29 CFR 1910.109, 30 CFR 15, 30 CFR Part 57.6000 Subpart E, ATF Form 5400.14/5400.15 Part I

Memorandum of Understanding between the Department of Justice (ATF) and the Department of Labor (MSHA), Metal and Non-Metal General Inspection Procedures Handbook No. PH13-IV-1

South Dakota Department of Public Safety
Office of State Fire Marshal Explosives Permit

29 CFR 1910, Subpart D & F / 1926, Subpart M

SURF ESH Manual

30 CFR 57.3200-3401

29 CFR 1910.1200 / 1926.59

29 CFR 1910, Subpart N

30 CFR 49, Subpart A

NFPA 72

Fermilab ES&H Manual (FESHM 5064)

29 CFR 1910, Subpart I

30 CFR Part 57.19000—.19134

Integrated Management System covering International Organization Standardization (ISO) 9001, 14001, and 45001

Nuclear Regulatory Commission License Number 40-35101-01

29 CFR 1910.134 / 1926.10, 30 CFR 57.15030

29 CFR 1926, Subpart L

NFPA 780, National Weather Service (NWS)

29 CFR 1926, Subpart X, IBC 2018

29 CFR 1926.800 (p) (1,2)

30 CFR 57.22212—.22229 (b)

30 CFR 57.8518—.8535

29 CFR 1910, Subpart D

NFPA 13

ASME BPVC

IBC 2018

ASME 31.9

SD Lead City Ordinance

ASME

NFPA 70-E

NFPA 110

Personnel Elevators (Refer to Section 1.0 for underground personnel and material hoists)	ASME A17.1
Fire Protection for Laboratories Using Chemicals	NFPA 45
Flammable and Combustible Liquids Code	NFPA 30
Fuel Gas Piping	ASME B31.2 (ii)
Installation of Lightning Protection Systems (and UL86A)	NFPA 780
Life Safety Code	NFPA 101
National Electrical Code	NFPA 70
National Electrical Safety Code	ANSI C2
Pipeline Transportation Systems for Liquid Components	ASME B31.4 (iv)
Portable Fire Extinguishers	NFPA 10
Power Piping	ASME B31.1 (i)
Process Piping	ASME B31.3 (iii)
Recommended Practice for Electrical Equipment Maintenance	NFPA 70-B
Refrigeration Piping and Heat Transfer Components	ASME B31.5 (v)
Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks	NFPA 55
Standpipe and Hose Systems	NFPA 14
Subterranean Spaces	NFPA 520
Ventilation for Acceptable Indoor Air Quality	ANSI/ASHRAE 62-2004

3.0 Environmental and Waste Management

Designation, Reportable Quantities, and Notification	40 CFR 302 (CERCLA)
Hazardous Chemical Reporting, Community Right to Know	40 CFR 370
Hazardous Materials Transportation Act	49 CFR 171-180
Hazardous Waste Determination	40 CFR 262.11
National Emissions Standards for Hazardous Air Pollutants	40 CFR 61, Subpart A
National Environmental Policy Act Implementing Procedures	10 CFR 1021
National Pollution Discharge Elimination System (NPDES)	40 CFR 122
Guidelines Establishing Test Procedures for the Analysis of Pollutants	40 CFR 122
Polychlorinated Biphenyls (PCB)	40 CFR 761
Protection of Environment—Hazardous Waste Management System (Hazardous Waste Regulations)	40 CFR 260-273
Solid Waste	40 CFR 239-259
Spill Prevention, Control and Countermeasure Procedures	40 CFR 112
Universal Waste Management	40 CFR 273
Management of Used Oil	40 CFR 279
Underground Injection Control Program: Criteria and Standards	40 CFR 144 & 146
Underground Storage Tanks	40 CFR 280

3.1 SD-DANR: Codified Law

Administrative Procedure for Appropriation of Water	46-2A, 46-5
Air Pollution Control	34A-1

Asbestos Abatement Training Project	34-44
Definitions and General Provisions (Water Rights)	46-1
Environmental Impact of Government Actions	34A-9
Groundwater and Wells	46-6
Hazardous Waste Management	34A-11
Petroleum Inspection and Release Compensation	34A-13
Safe Drinking Water	34A-3A
Solid Waste Management	34A-6
Water Pollution Control	34A-2
Weed and Pest Control	38-22

3.2 SD Administrative Rule

Administrative Fees	74-08
Air Pollution	74:36:00
Asbestos Control Program	74:31:00
Compliance Procedures for Water Pollution Control	74:50:00
Groundwater Quality	74:54:00
Hazardous Waste	74:28:00
Petroleum Inspection and Release Compensation	74:32:00
Regulated Substance Discharge	74:34:00
Solid Waste	74:27:00
Surface Water Discharge Permits	74:52:00
Surface Water Quality	74:51:00
Underground Injection Control	74:55:00
Water Hygiene	74:04:00
Water Rights	74-02
Water Supply and Treatment Systems	74:53:00
Water System Operators	74-21

4.0 Additional References

The following are a selection of additional trade organizations and references that may govern the SDSTA's selection and installation of products:

ACGIH Threshold Limit Values
American Concrete Institute (ACI) – ACI-318
American Industrial Hygiene Association (AIHA)
American Institute of Steel Construction (AISC) – Manual of Steel Construction
American National Standards Institute (ANSI)
American Society for Testing and Materials (ASTM)
American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE)
American Society of Mechanical Engineers (ASME)
American Water Works Association (AWWA)
Department of Transportation (DOT)
Institute of Electrical and Electronics Engineers (IEEE)

National Electrical Manufacturers Association (NEMA)
National Fire Protection Association (NFPA)
National Institute for Occupational Safety and Health (NIOSH)
National Institute of Standards & Technology (NIST)
Underwriters Laboratories, Inc. (UL)

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Appendix B – ORM Fee Schedule

SDSTA shall pay for services performed by ORM personnel hereunder for actual hours worked using the following fee schedule, which is subject to change as provided below:

<u>Position Title</u>	<u>Rate</u>
Director	\$ 70.49 <u>76.03</u>
State Risk Manager	\$ 48.77 <u>52.77</u>
Risk Analyst	\$ 39.55 <u>42.91</u>
Risk Analyst	\$ 43.56 <u>47.20</u>
Risk Analyst	\$ 38.57 <u>41.86</u>
Risk Analyst	\$ 36.21 <u>39.31</u>
Risk Analyst	\$ 36.03 <u>39.15</u>
Administrative Assistant	\$ 25.00 <u>26.75</u>
Legal Counsel	\$ 66.55 <u>63.69</u>

The parties acknowledge and agree that the fees payable on account of the above-described personnel are based on their respective rates of compensation paid by ORM, and that in the ordinary course of ORM's business those rates may change during the term of the Agreement. As often as ORM may reasonably request, ORM shall advise SDSTA of any such changes in writing. Absent written objection from SDSTA within thirty (30) days of such notice, the change in rate shall be deemed an amendment to the Agreement. Any notices given under this paragraph shall be attached to the Agreement and absent objection from SDSTA as provided herein shall become a part of the Agreement.

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Confirm date and time of next meeting—Chairperson Casey Peterson

The next board meeting will be held on Thursday, September 21 beginning at 8:00AM (MT)/9:00AM (CT) at the Washington Pavilion in Sioux Falls

A block of rooms has been held at the Holiday Inn Downtown City Center, 100 West 8th St, Sioux Falls, SD 57104. Check-in September 20, check-out September 22.

Please contact Mandy Knight if you plan to join the meeting in person and require lodging. The block will be released on August 20.

2023 Regular Quarterly Board Meeting Schedule 8:00 AM (Mountain Time)
Thursday, March 16
Thursday, June 22—Annual Mtg
Thursday, September 21 (Sioux Falls, Washington Pavilion)
Thursday, December 14

*South Dakota Science and Technology Authority / Sanford Underground Research Facility
Education & Outreach Building (large conference room and zoom)*

630 E. Summit Street

Lead, SD 57754

Questions? Contact Mandy Knight, mknight@sanfordlab.org

Direct Line: 605.722.4022, Cell: 605.641.0475

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Public Comments—Chairperson Casey Peterson

Reminder to ask guests who did not identify themselves at the beginning of the meeting to do so at this time.

Discuss public comment request forms, if submitted.

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Board Comments—Chairperson Casey Peterson

1. Dr. Ani Aprahamian
2. Mr. Dana Dykhous, Vice-Chairperson
3. Dr. Chris Fall
4. Ms. Pat Lebrun, Secretary-Treasurer
5. Mr. Roger Musick
6. Mr. Ron Wheeler
7. Dr. Jim Rankin, Ex-officio member
8. Mr. Casey Peterson, Chairperson

Recommended Action:

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Adjourn—Chairperson Casey Peterson

See recommended motion below.

Recommended Action:

Motion to adjourn.

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