

**South Dakota Science and Technology Authority  
Annual Board Meeting  
June 26, 2025**



**SANFORD  
UNDERGROUND  
RESEARCH  
FACILITY**

630 East Summit Street  
Lead, SD 57754



**Call to Order—Chairperson Casey Peterson**

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1A. Call Roll

Dr. Ani Aprahamian  
Mr. Dana Dykhouse  
Dr. Chris Fall  
Ms. Pat Lebrun  
Mr. Roger Musick  
Mr. Casey Peterson  
Mr. Ron Wheeler  
President Steve Elliott/BHSU, ex officio member  
President Brian Tande/SD Mines, ex officio member

1B. Introduce guests—ask to announce name and affiliation; 2025 summer intern introductions.

1C. Public Comment Policy (submit forms prior to start of board meeting)

Pursuant to SDCL 1-25-1 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 board 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 that are under the jurisdiction of the SDSTA.

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

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**Approve Agenda—Chairperson Casey Peterson**

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Attached is the SDSTA Board agenda for the June 26, 2025, annual meeting.

*See recommended motion below.*

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**Recommended Action:**

*Motion to approve agenda as presented.*

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## AGENDA

**South Dakota Science and Technology Authority  
Annual Meeting of the Board of Directors  
Thursday, June 26, 2025, at 8:00 a.m. (MT)**

**\*\*Education & Outreach Building, Large Conference Room\*\***

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

**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 mute your phone after joining.**

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

	<b>Title</b>	<b>Report</b>	<b>Recommendations</b>
<b>1.</b>	Call to order A. Call roll B. Introduce guests including 2025 summer interns  C. Submit public comment form	-- Chair Casey Peterson	<i>1A. Confirm quorum by calling roll 1B. Ask guests to announce their name/ affiliation  1C. Ask if there are any public comment form(s) submitted and announce time will be given at the end of the agenda to discuss</i>
<b>2.</b>	Approve agenda	-- Chair Casey Peterson	<i>Motion to approve agenda</i>
<b>3.</b>	Approve minutes	-- Chair Casey Peterson	<i>Motion to approve the March 20 and May 22, 2025, minutes</i>
<b>4.</b>	General conflict of interest disclosure	-- Mr. Tim Engel	<i>Informational</i>
<b>5.</b>	Conflict of interest disclosure and waiver under SDCL CH. 3-23	-- Mr. Tim Engel	<i>"Motion to approve or deny" (as appropriate)</i>
<b>6.</b>	Annual appointment of Audit Committee members	-- Chair Casey Peterson	<i>Motion to confirm chairperson's appointment of audit committee members</i>
<b>7.</b>	Financial Report A. Review financial statements  B. Approval of FY2026 budget	-- Mr. Mike Headley -- Mr. Terry Miller  -- Mr. Terry Miller	<i>7A. Motion to accept financial report as presented 7B. Motion to approve FY2026 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.

**Annual Meeting of the Board of Directors**  
**Thursday, June 26, 2025, at 8:00 a.m. (MDT)**

	<b>Title</b>	<b>Report</b>	<b>Recommendations</b>
8.	SURF Foundation update A. Approve re-appointment of Justin Varland to Foundation board of three-year term commencing June 2025	-- Ms. Annie Averitt	<i>Informational</i> <i>8A. Motion to approve re-appointment of Justin Varland to the SURF Foundation board for a three-year term, effective June 2025</i>
9.	Report from Executive Director A. Declarations of Surplus (4) B. SDSTA quarterly update C. E&O update D. Water Project update	-- Mr. Mike Headley  -- Ms. Nicol Reiner -- Ops Team	<i>Informational</i> <i>Informational</i> <i>Informational</i> <i>Informational</i> <i>Motion to accept executive director's report</i>
10.	SDSTA policies and procedures A. Annual statements affirming compliance with Financial Conflict of Interest policy B. Discuss proposal to change SDSTA Manual C. Review and approval of updated policies	-- Mr. Mike Headley	<i>10A. Each board member to sign a copy of the Financial CoI statement</i>  <i>10B. Motion to accept proposal as discussed; reference board packet</i> <i>10C. Motion to accept proposal to change the SDSTA manual; reference board packet</i> <i>Motion to approve updated policies; reference board packet</i>
11.	Approval of FY2026 Office of Risk Management Intergovernmental Agreement	-- Mr. Mike Headley	<i>Motion to approve FY2026 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize the SDSTA executive director to sign the agreement</i>
12.	Report from nominating committee	-- Vice Chair Dykhous	<i>Slate of officers recommended:</i> <i>Chairperson: Mr. Casey Peterson</i> <i>Vice-Chairperson: Mr. Dana Dykhous</i> <i>Secretary Treasurer: Ms. Patricia Lebrun</i>
13.	Election of officers	-- Chair Casey Peterson	<i>Elect officers as described in procedure adopted August 2008; reference board packet</i>

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**Annual Meeting of the Board of Directors  
Thursday, June 26, 2025, at 8:00 a.m. (MDT)**

	<b>Title</b>	<b>Report</b>	<b>Recommendations</b>
14.	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>
15.	Report from executive session	-- Chair Casey Peterson	<i>“The board consulted with legal counsel concerning contractual and legal matters. No action was taken.” OR ...as discussed and stated otherwise</i>
16.	Confirm date and time of next meeting	-- Chair Casey Peterson	<i>Thursday, September 18, 2025, at 8:00 a.m. (MT)—meeting held in SURF’s E&amp;O large conference room</i>
17.	Public comments	-- Chair Casey Peterson	
18.	Board comments	-- Chair Casey Peterson	
19.	Adjourn	-- Chair Casey Peterson	<i>Motion to adjourn</i>

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**Annual Meeting of the Board of Directors  
Thursday, June 26, 2025, at 8:00 a.m. (MDT)**

**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 Dykhous, Vice-Chair	Re-appointed August 15, 2020	August 14, 2026
3.	Dr. Chris Fall	Appointed December 1, 2021	August 8, 2027
4.	Ms. Patricia Lebrun, Secretary-Treasurer	Re-appointed August 8, 2022	August 8, 2028
5.	Mr. Roger Musick	Reappointed August 8, 2022	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.	<i>Mr. Steve Elliott, ex officio member</i>	<i>Black Hills State University (BHSU) President</i>	
9.	<i>Dr. Brian Tande, ex officio member</i>	<i>South Dakota School of Mines &amp; Technology (SD Mines) President</i>	
	Committees and Members (2025-2026)		
	Audit Committee Members (Selected in June):	Nominating Committee Members (Selected in March):	
	➤ Pat Lebrun-Chair	➤ Dana Dykhous	
	➤ Dana Dykhous	➤ Roger Musick	
	➤ Roger Musick		
	➤ Casey Peterson, ex officio		
	2025 Board Regular Schedule <a href="#">SD Boards &amp; Commissions Portal</a>		
	Thursday, March 20, 2025	8:00 am (MT)	SURF E&O Bldg
	Thursday, June 26, 2025 — Annual Meeting	8:00 am (MT)	SURF E&O Bldg
	Thursday, September 18, 2025	8:00 am (MT)	SURF E&O Bldg
	Thursday, December 11, 2025	8:00 am (MT)	SURF E&O Bldg

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**Approve Minutes—Chairperson Casey Peterson**

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Attached are the March 20 and May 22, 2025 Minutes for approval.

*See recommended motion below.*

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**Recommended Action:**

*Motion to approve the March 20 and May 22, 2025, Minutes as presented.*

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**South Dakota Science and Technology Authority Board of Directors**  
**Meeting Minutes**  
**Thursday, March 20, 2025**  
**Lead, South Dakota**

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 8:00 a.m. Mountain Time (MT) on Thursday, March 20, 2025, 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 in person or join by telephone or videoconference.

**MEMBERS OF THE BOARD IN ATTENDANCE**

Dr. Chris Fall (in person)  
Secretary/Treasurer Patricia Lebrun (by videoconference)  
Chairperson Casey Peterson (in person)  
Mr. Ron Wheeler (by videoconference)  
Dr. Brian Tande, ex officio (in person)

**MEMBERS OF THE BOARD ABSENT**

Dr. Ani Aprahamian  
Vice-Chairperson Dana Dykhouse  
Mr. Steve Elliott, ex officio  
Mr. Roger Musick

**SDSTA STAFF PRESENT DURING ALL OR PART OF THE MEETING**

Ms. Annie Averitt, SURF Foundation Director (in person)  
Ms. Christine Burger, Human Resources Manager (in person)  
Mr. Sean Crooks, IT Operations Manager (in person)  
Mr. Tim Engel, SDSTA General Counsel (in person)  
Ms. Kim Flock, Controller (in person)  
Ms. Stacie Granum, The Institute Program Manager (in person)  
Mr. Mike Headley, SDSTA Executive Director and SURF Laboratory Director (in person)  
Ms. Jayme Hunt, HR Generalist (in person)  
Ms. Michelle Kane, SURF Foundation Donation Relations Manager (in person)  
Ms. Mandy Knight, Chief of Staff (in person)  
Mr. Christopher Kreitzinger, Science Support Associate (by phone)  
Ms. Ann Metli, Communications Director (in person)  
Mr. Terry Miller, Chief Financial Officer (in person)  
Ms. Ashlyn Pearson, HR Generalist (in person)  
Mr. Mike Ray, Media Relations Manager (in person)  
Ms. Nicol Reiner, Education & Outreach Director (in person)  
Ms. Wendy Straub, Chief Operating Officer (in person)  
Ms. Becky Wilcox, Senior Administrative Assistant (in person)  
Ms. Deb Wolf, Outreach & Culture Director (in person)

**ALSO PRESENT DURING ALL OR PART OF THE MEETING**

Mr. Clayton Hollowell, DOE HEP SURF Program Manager (in person)  
Ms. Wendy Pitlick, Black Hills Pioneer Journalist (in person)

Mr. Tom Regan, Retired SDSTA Employee (by phone)  
Dr. Ben Saylor, BHSU Director of Sanford Science Education Center (by phone)  
Dr. Robert Wilson, SURF Foundation Board Member (in person)

#### **ITEM 1. CALL TO ORDER**

Chair Casey Peterson called the meeting to order at 8:00 a.m. (MDT). Roll call was held.

Dr. Chris Fall, Chair Casey Peterson, and Dr. Brian Tande were present in person. Ms. Lebrun and Mr. Wheeler joined via Zoom. Dr. Ani Aprahamian, Vice-Chair Dana Dykhouse, Mr. Roger Musick, and Mr. Steve Elliott were absent. Chair Peterson introduced Dr. Tande as the new President of South Dakota School of Mines and Technology (SD Mines) and welcomed him to the SDSTA board. He 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**

Chair Peterson asked for a motion to approve the agenda.

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

#### **ITEM 3. APPROVE MINUTES**

Chair Peterson asked if there were any comments on the December 13, 2024, Minutes. Hearing none, he asked for a motion to approve the minutes as presented.

*Motion by Ms. Lebrun and seconded by Dr. Fall to approve the December 13, 2024, minutes as presented. Motion passed unanimously.*

Chair Peterson asked if the business-critical jobs mentioned during approval of the Compensation Philosophy Policy in the December meeting had been further defined. Mr. Headley replied a list of jobs (essential personnel) has been developed and will be added to the policy.

#### **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. REPORT FROM AUDIT COMMITTEE**

##### **ITEM 6B. AUDIT COMMITTEE – REPORT UPDATE**

Ms. Lebrun referenced the Audit Committee minutes in the board packet and said the committee convened on February 10 to discuss the SDSTA Financial and Compliance Audit and the potential Internal Control Audit of the SDSTA Information Technology (IT) department.

Ms. Lebrun said Mr. Engel verified based on policy that SDSTA can contract with Eide Bailly, and a sole source justification is not required. Mr. Paul Kane, partner auditor for Eide Bailly, confirmed he plans to be the audit partner for the SDSTA audit, and they do not require a rotation of audit partners

with governmental entities. Ms. Lebrun said the committee is pleased to maintain Eide Bailly as SDSTA's audit firm.

Regarding the IT internal control audit, the IT department contracted with Marco a few years ago for a procedural review and made recommendations that were implemented by the IT team. SDSTA would like to pursue this review again with Marco. Also, IT Operations Manager Sean Crooks has worked with a company (STACKTITAN) for penetration testing to provide security controls against hackers and plan to pursue that as well.

Mr. Headley replied SDSTA is proceeding with both through regional vendors and appreciates the board's support.

#### **ITEM 6B. AUDIT REPORT-FISCAL YEAR ENDED JUNE 30, 2024**

Ms. Lebrun said the audit report was presented to the Board at the December 13, 2024, meeting for discussion and it is now being presented for approval.

Chair Peterson congratulated the SDSTA Finance team for a clean audit as well as Ms. Lebrun for her service and bringing the audit to a completion.

*Motion by Ms. Lebrun and seconded by Mr. Wheeler to accept the Audit Report for the Fiscal Year Ended June 30, 2024, as reviewed and discussed at the December 13, 2024, board meeting. Motion passed unanimously.*

#### **ITEM 7. FINANCIAL REPORT**

##### **ITEM 7A. JANUARY FINANCIAL STATEMENTS**

SDSTA Chief Financial Officer Mr. Terry Miller said financial statements for the January 31, 2025, reporting period were included in the board packet and consist of the Cooperative Agreement (CA) SPA Curve Analysis, Balance Sheet, Income Statements, and Comparatives.

Ms. Lebrun asked to include page numbers to reference financials on the agenda in the future and Ms. Knight agreed.

As of January, the SPA Curve Analysis shows actual cumulative expenses for the CA are at \$131.2 million, which is lower than the budgeted \$132.9 million, by \$1.75 million. Mr. Miller said this was due to a large share of assets budgeted in fiscal year 2025 which have not yet been purchased. Due to the possible government shutdown, some spending was deferred; SDSTA is now moving ahead and will purchase those assets by the end of September.

Mr. Miller said on the balance sheet, the SB35 appropriation of \$13 million for the 4850L expansion has a balance of \$12.8 million. There is a small balance remaining that is being spent down and should be capitalized by June 30. Regarding fixed assets, there is a current balance of \$107 million. Fixed assets activity since last month included recording a LT270 Komatsu loader, a portable diesel generator, three assets surplused (bolter, feed assembly, pump motor), and depreciation expense—all for a decrease of \$347,000.00. Other payables increased from the prior month by \$801,000.00, primarily from borrowing \$716,000.00 to pay liability insurance costs.

Mr. Miller said on the income statement, there is a net loss of \$4.9 million, primarily from the 4850L expansion costs not yet included in the Work in Progress of \$4.6 million, year-to-date. The plan is to have this project capitalized by June 30.

Mr. Miller noted a few items on the Comparative Balance Sheet, Comparative Income Statement, Available Resources and Operating Budget Analysis and asked if there were any questions.

Chair Peterson asked about material changes in February. Mr. Miller replied cash decreased slightly due to the purchase of xenon insurance.

Chair Peterson said he noticed cryostat and lead were sold to another experiment but after further review, it was confirmed that those items and the proceeds were owned by the MAJORANA DEMONSTRATOR experiment, not SDSTA. Chair Peterson asked if there were any further questions and there were none.

*Motion by Dr. Fall and seconded by Ms. Lebrun to accept the financial report as presented. Motion passed unanimously.*

#### **ITEM 7B. APPROVAL TO INCREASE SDSTA LINE OF CREDIT**

Mr. Miller noted several years ago, SDSTA qualified for a \$5 million line of credit. With the potential government shutdown in early March, discussion ensued to increase the line of credit to \$8 million, which would carry the SDSTA through a quarter and offset any delay in funding through the CA. He reported that First Interstate Bank has approved an increase in the line of credit to \$8 million; SDSTA is awaiting the paperwork for Chair Peterson and Mr. Headley to sign. The fee to increase the line of credit is 25 basis points or approximately \$15,000 per year.

Chair Peterson thanked Mr. Miller for his efforts.

*Motion by Dr. Fall and seconded by Mr. Wheeler to approve an increase in line of credit with First Interstate Bank from \$5,000,000.00 to \$8,000,000.00, as presented, and to authorize the executive director and SDSTA board chairperson to sign the loan documents. Motion passed unanimously.*

#### **ITEM 8. SURF FOUNDATION STATUS UPDATE**

Mr. Headley introduced new SURF Foundation Director Ms. Annie Averitt.

Ms. Averitt thanked the board and gave a brief synopsis of her background, mentioning she has just shy of 20 years of experience as a professional fundraiser, with an emphasis on fundraising for engineering, theoretical computer science, and primary math research. She is the former Director of Advancement and External Relations for the Simons Laufer, Mathematical Sciences Institute in Berkeley, California (formerly known as MSRI). She said at Simons Laufer, the priority was to build the endowment fund from \$26 million to \$100 million. When she departed, the endowment campaign had yielded approximately \$100 million, which was \$26 million above the goal. In addition to that campaign, fundraising was undertaken for other programs, bringing in an additional \$44 million.

Ms. Averitt earned degrees in public communication, mechanical engineering, physics, and rhetorical studies and said she is most at home when talking with people about math and science, and, luckily for her, SURF brings all of this together.

Ms. Averitt then provided a brief update on the following: 1) SURF Fundraising Assessments – The First 60 Days, 2) SURF Fundraising Actions – The First 60 Days, 3) SURF Fundraising Metrics – Measuring success to lead to increased financial support, and 4) The Year Ahead.

In conclusion, she thanked the board for their support. Chair Peterson welcomed Ms. Averitt and said he is glad she is working for the SURF Foundation.

#### **ITEM 9. REPORT FROM EXECUTIVE DIRECTOR**

Chair Peterson deferred Item 9A to the end of the executive director's report.



## ITEM 9B. SDSTA QUARTERLY UPDATE

Mr. Headley began his presentation recognizing notable staffing changes to include Ms. Wendy Straub as the SDSTA Chief Operating Officer, Ms. Mandy Knight as SDSTA Chief of Staff, and Ms. Annie Averitt as SURF Foundation Director and congratulated them in their new senior roles.

He then reviewed SURF highlights: 1) The FY2025 funding is expected to remain flat at \$35 million with the year-long continuing resolution; FY2026 is to be determined. A letter requesting an increase in funding is being prepared in collaboration with Fermilab and Mr. Michael Ledford, SDSTA's advocate.

2) SDSTA's top priority remains Long-Baseline Neutrino Facility/Deep Underground Neutrino Experiment (LBNF/DUNE) construction support and safe underground access. A steady transition is being made from excavation work into outfitting. The installation of the first cryostat will start in January of 2026.

3) The Ross Shaft staff continues to support infrastructure construction (undertaken by Kiewit Alberici Joint Venture) and cryostat install planning. An Installation & Integration ("I&I") workshop is scheduled next week with LBNF/DUNE and SURF staff, with several people attending from Fermilab and CERN.

4) Yates Shaft heavy maintenance has reached the 4850L and the Yates has returned to full operations for regular access.

5) There was strong outreach to the South Dakota Legislature this Session. Fundraising outreach is ramping up as well. Mr. Headley and Ms. Averitt met with potential donors in San Francisco last week and will be heading to San Diego next month.

6) K-12 Education and Outreach performance remains strong. Eight Davis-Bahcall scholars were selected from over forty applicants. Ms. Wolf said the scholars are made up of five university freshman students and three high school seniors from around the state. Mr. Headley said the K-12 outreach team has been incredibly busy this year and showed a table listing numbers of field trips, classroom presentations, curriculum units, and student contacts from school year 2019 through February 2025.

7) DOE continues to consider approval of Yates Shaft refurbishment as a formal DOE project. Mr. Headley said although SDSTA is not required to follow the DOE Orders that apply to major capital projects, SDSTA will follow the intent of those orders. SDSTA is working through the initial approval process.

8) SDSTA has been designated a partner in the U.S. Senators Rounds (SD) and Heinrich (NM) initiative known as American Science Acceleration Project. (<https://www.rounds.senate.gov/ASAP>). The idea is to build momentum within Congress for more support for basic research and to try to accelerate the pace of research in several areas, including the type of work performed at SURF.

Mr. Headley announced a few attendees participating in next week's I&I workshop: Fermilab Interim Laboratory Director Young-Kee Kim, leadership from the LBNF/DUNE team, and Marzio Nessi and Olga Beltramello from CERN.

9) The American Physical Society held a conference in Los Angeles this week in which Science Director Jaret Heise is participating and said there are over 15,000 people in attendance. A local company produced a short SURF introduction video that is playing during the conference, which is great exposure for SURF. Mr. Headley said it is a well-done video he will share the link with board members.

*Dr. Fall excused himself from the meeting at 9:02 a.m.*

## **ITEM 9C. YATES TOP-DOWN MAINTENANCE UPDATE**

Ms. Straub began her presentation by recapping the Yates Shaft Short Term Timeline of top-down maintenance (TDM) activities. She noted the following:

In 2012 pre-July, TDM began in the cage compartment. The Yates Shaft crew focused on TDM on nights and weekends in the cage compartments. When a Stop Work Order was issued, there were 19 sets remaining to complete to the 4850L.

In July 2021, a Stop Work Order was issued; during a routine shaft inspection, the Yates Shaft crew discovered a broken wall plate in the northeast utility compartment at set #251.

In December 2021, the Yates Shaft returned to operations on schedule. The Yates Shaft crew secured and completed TDM from the 1700L to the 2600L in the northeast utility compartment.

Then, in October 2022, a boulder was discovered below the 4100L. A dust plume was reported at the 4850L Big X and shaft inspection revealed a large boulder pushing against lacing just below the 4100L. Monitoring showed movement two weeks later and the shaft was idled for normal operations. After further inspection, it was decided to go to TDM. During this time, all structural timbers were repaired or replaced, including rock bolting, installing J Hooks and turnbuckles every 7 to 8 sets to anchor the structure into the rock, and additional work.

Ms. Straub shared several photos illustrating the TDM progress, including a return to operations checklist that was reviewed with SDSTA's QA/QC Integrated Management System to verify all work was covered. She said Caterpillar was re-established on the 1700L in March of 2024. Also, two key stations were rehabilitated. She said there are a few checklist items that are remaining on the return to operations, but they are not critical items.

Dust has been an issue in the Yates Shaft. The crew has been able to divert material away from the cage compartment by physically mopping the debris into five-gallon buckets, dumping them into skips, hauling it to the surface, and disposing of it.

Referring back to the boulder in October of 2022, she said she was thankful for the backing of Mr. Headley and those that supported the work. She shared several photos illustrating the work and methods for ground support and the two rebuilt shaft stations leading up to the return to operations at the Yates Shaft. In conclusion, she said this milestone was achieved safely and on time and she is proud of the crew members. She asked if there were any questions and there were none.

Mr. Headley interjected that the goal is to refurbish the Yates Shaft so it is in good shape for the next five years, and then all of the timber will be removed in the 2030 timeframe when the shaft is rebuilt with steel sets.

## **ITEM 9D. THE INSTITUTE FOR UNDERGROUND SCIENCE AT SURF UPDATE**

Program Manager Ms. Stacie Granum began her presentation by reflecting on the last year of the Institute and the programs that were implemented. She said it is exciting to see the impact and the vision of building an intellectual community. She reiterated eight Davis Bahcall scholars were selected and shared a story about an inspiring 2025 scholar named Mr. Wyatt Schell from MacIntosh, SD, stating that this is what the program is all about.

Ms. Granum discussed other programs, focusing on researchers, educators and students, with the intention of these programs being to intersect with different communities. She said six programs were launched (2 ongoing and 4 new) with 360+ participants representing twenty-four countries. The Quantum Partnership workshop is a great example where researchers and educators were brought

together. She said there have already been some great results, including expanding from a one-day workshop to three days with additional attendees.

Ms. Granum showed the “Celebrating the First Milestones” video the Communications team created for the Institute. She then discussed what is next for the Institute, including: 1) developing a five-year program plan, 2) 2025 program line-up, 3) implementing new programs, 4) expanding current programs, and 5) working closely with the Foundation Director on Institute Funding. In conclusion, Ms. Granum asked if there were any questions; there were none.

#### **ITEM 9A. DECLARATION OF SURPLUS**

Mr. Headley referred to Item 9A that was skipped and referenced the Declaration of Surplus included in the board packet. He said the projector has reached end-of-life and will be donated to the Historic Homestake Opera House. He asked if there were any questions and there were none.

*Chair Peterson deferred Item 9 to approve the executive director’s report until a quorum was reestablished.*

*Chair Peterson deferred Item 10 to discuss approval of policies and procedures until a quorum was reestablished.*

#### **ITEM 11. DISCUSS GOVERNANCE CHARTER**

Chair Peterson said SURF Foundation board members Linn Evans and Foundation Chair Beth Massa led an effort to create a governance charter for the Foundation and directed the board to the draft included in the board packet. He asked if the board would be interested in creating a Governance Committee along with a charter and policy for the SDSTA. For example, Chair Peterson said he reviews the Executive Director’s performance annually, and the Governance Committee could assist with these reviews.

Mr. Engel then explained the draft Foundation Charter is written specifically for a not-for-profit foundation whereas some SDSTA board duties are created by statute. The draft charter would need to be refined for the SDSTA and to keep in mind the discretion to appoint a board member lies with the Governor. The draft charter could allow for recommendations and could be a starting point.

Mr. Headley said the charter would be value-added and encourage the board to proceed.

Chair Peterson asked the board if they would like to pursue this, and he restated that a governance charter would formalize the executive director review process and allow the board to provide input of future board members for the Governor to consider. The board then agreed to pursue drafting a charter. Chair Peterson asked Mr. Engel to prepare a draft SDSTA Governance Charter for consideration by the Board.

#### **ITEM 12. SELECT NOMINATING COMMITTEE**

Chair Peterson said he asked Mr. Dykhouse and Mr. Musick to serve on the nominating committee and both agreed to serve. The nominating committee will report to the board at the June 26 annual board meeting, when the election of officers will be held.

*The board recessed at 9:15 a.m. for a ten-minute break.*

*The board reconvened in open session at 9:25 a.m. with a quorum.*

*Relating to Item 9:*

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

## **ITEM 10. APPROVE SDSTA POLICIES AND PROCEDURES**

Mr. Headley said Policy (PY) and Policy-Procedure (PP) updates were included in the board packet and briefly reviewed the updates. He also pointed out that the Diversity, Equity, and Inclusion Policy is being retired from the manual. He asked if there were any questions and there were none. (Mr. Engel reviewed all the updated policies and procedures.)

*Motion by Dr. Fall and seconded by Mr. Wheeler to approve the following revised policies and procedures: Equal Opportunity Employer Policy, Equal Opportunity Employer Policy-Procedure, Flexible Work Options Policy, Flexible Work Options Policy-Procedure, Leave Policy, Use of SDSTA Technology Resources and Internet Policy and to retire the Diversity, Equity, and Inclusion Policy from the SDSTA Manual, as presented. Motion passed unanimously.*

## **ITEM 13. EXECUTIVE SESSION**

*Motion by Mr. Wheeler 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 9:26 a.m.*

*The board reconvened in open session at 10:29 a.m.*

## **ITEM 14. REPORT FROM EXECUTIVE SESSION**

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

*Motion by Ms. Lebrun and seconded by Dr. Fall to approve the executive session report. Motion passed unanimously.*

## **ITEM 15. APPROVE REVISED MOU BETWEEN SDSTA AND FERMI FORWARD DISCOVER GROUP, LLC**

Mr. Headley said at the last meeting, the board approved an update to the Memorandum of Understanding (MOU); those changes related primarily to transferring responsibilities from Fermi Research Alliance (FRA) LLC to Fermi Forward Discovery Group, LLC (FermiForward). Further changes to the MOU have been proposed in coordination with Fermilab; the changes are primarily housekeeping items. He said there are a few additional comments to review, but any further changes should be straightforward and consistent with the overall intent of the MOU.

*Motion by Dr. Fall and seconded by Mr. Wheeler to approve the Memorandum of Understanding between SDSTA and Fermi Forward Discovery Group, LLC as amended, and to authorize the SDSTA Executive Director to negotiate final terms of the agreement and sign the MOU. Motion passed unanimously.*

## **ITEM 16. CONFIRM DATE AND TIME OF NEXT MEETING**

Chair Peterson reminded the board of the next meeting, scheduled for Thursday, June 26, 2025, at SURF in the Administration Building's 2<sup>nd</sup> Floor Vault conference room.

## **ITEM 17. PUBLIC COMMENTS**

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

## ITEM 18. BOARD COMMENTS

Dr. Fall said it was a great meeting and is super impressed with Mr. Headley and his team's ability to run SURF.

Ms. Lebrun said it was a good meeting and welcomed Dr. Tande and said SD Mines is important to this operation.

Mr. Wheeler echoed Ms. Lebrun's sentiments. He thanked the board, congratulated Ms. Straub and Ms. Knight, and said their promotions were well deserved.

Dr. Tande said he listened and has much to learn but is happy to be part of this board and unique facility.

Mr. Engel had no comments.

Mr. Headley thanked the board for the support over the last quarter. He thanked Ms. Knight and Ms. Wilcox for their assistance with the board meeting.

Chair Peterson thanked Foundation board member Dr. Bob Wilson for attending the SDSTA meeting. He also congratulated Ms. Knight and Ms. Straub for their promotions. He thanked the board and said he appreciated the SDSTA team, including the finance team, having to work under a time of duress.

## ITEM 19. ADJOURN

Chairperson Peterson called for a motion to adjourn.

*Motion by Mr. Wheeler and seconded by Dr. Fall to adjourn. Motion passed unanimously.*

**Meeting adjourned at 10:34 a.m.**

**South Dakota Science and Technology Authority Board of Directors**  
**Special Telephonic Meeting Minutes**  
**Thursday, May 22, 2025**  
**Lead, South Dakota**

The Board of Directors of the South Dakota Science and Technology Authority (SDSTA) convened at 3:00 p.m. Mountain Time (MT) on Thursday, May 22, 2025, via videoconference and phone. 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 PHONE**

Dr. Ani Aprahamian (by phone)  
Vice-Chairperson Mr. Dana Dykhouse (by phone)  
Dr. Chris Fall (by phone)  
Secretary/Treasurer Ms. Pat Lebrun (by videoconference)  
Mr. Roger Musick (by videoconference)  
Chairperson Mr. Casey Peterson (by phone)  
Mr. Ron Wheeler (by phone)  
Mr. Steve Elliott, ex officio (*joined by phone at 3:03 p.m.*)

**MEMBERS OF THE BOARD ABSENT**

Dr. Brian Tande, ex officio

**SDSTA STAFF IN ATTENDANCE**

Mr. Tim Engel, General Counsel (by phone)  
Mr. Mike Headley, Executive Director (by phone)  
Mr. Bill Kelly, Contracts & Procurement Manager (listening post)  
Ms. Mandy Knight, Chief of Staff (listening post)  
Mr. Terry Miller, Chief Financial Officer (by phone)  
Mr. Mike Ray, Media Relations Manager (by phone)  
Ms. Wendy Straub, Chief Operating Officer (listening post)  
Ms. Rebecca Wilcox, Sr. Administrative Assistant (listening post)

**OTHERS IN ATTENDANCE**

Ms. Wendy Pitlick, Journalist, Black Hills Pioneer (by phone)

**ITEM 1. CALL TO ORDER**

**ITEM 1A. DETERMINATION OF A QUORUM**

Chairperson Casey Peterson called the meeting to order at 3:00 p.m. (MT). Chairperson Peterson declared a quorum was present, consisting of board members Dr. Ani Aprahamian, Mr. Dana Dykhouse, Dr. Chris Fall, Ms. Pat Lebrun, Mr. Roger Musick, Chairperson Casey Peterson, and Mr. Ron Wheeler. Mr. Steve Elliott, ex officio member, also joined by phone at 3:03 p.m.

Dr. Brian Tande, an ex officio member, was absent.

**ITEM 1B. INTRODUCE GUESTS (LISTENING POST IN LEAD, VIDEO, AND PHONE)**

SDSTA staff present at the Lead Office listening post included: Mr. Bill Kelly, Ms. Mandy Knight, Ms. Wendy Straub, and Ms. Rebecca Wilcox.

Mr. Tim Engel, Mr. Mike Headley, Mr. Terry Miller, and Mr. Mike Ray joined by videoconference. Ms. Wendy Pitlick also joined by phone.



## **ITEM 1C. PUBLIC COMMENT FORM**

No public comment forms were submitted before the meeting. Chairperson Peterson said if there are any public comments to raise their hand via Zoom or submit a comment via Zoom 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 Mr. Wheeler to approve the agenda as presented. 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 concerning matters under consideration by the board today, to disclose it verbally.

No conflicts of interest were disclosed.

## **ITEM 4. APPROVE COST-REIMBURSEMENT CONTRACT BETWEEN SDSTA AND FFDG FOR LBNF/DUNE ‘BULL GANG’ SERVICES**

Chairperson Peterson said this meeting is being held to discuss and approve a cost-reimbursement contract between SDSTA and Fermilab to provide “Bull Gang” services and asked SDSTA Executive Director Mike Headley to further discuss the services.

Mr. Headley thanked the board for joining the telephonic special meeting and said the contract being discussed today is for logistics services for the Long-Baseline Neutrino Facility/Deep Underground Neutrino Experiment (LBNF/DUNE) project. “Bull Gang” support is a term used to describe people helping move supplies and equipment from the surface to the underground. He said that currently, there have been too many hand-offs between Kiewit Alberici Joint Venture (KAJV) and SDSTA staff, creating inefficiencies. Fermi Forward Discovery Group (FFDG) would like to leverage SDSTA staff support to provide the first- and last-mile logistics services for the Buildings and Site Infrastructure (BSI) construction. These services would include transporting materials and supplies arriving at SURF to the Project’s construction area on the 4850L. Through a cost-reimbursement contract with FFDG, the SDSTA proposes leveraging its resources to reduce the number of hand-offs of supplies and materials in the logistics chain. This will simplify the required interfaces to perform this work safely and efficiently to transport the thousands of loads to and from the 4850L.

He said the work would begin on May 29, 2025, and end on May 31, 2026. The total estimated costs for supplies and services are \$9.4 million—\$6.4 million of the total is labor and \$3 million is non-labor. There would be 27 full-time equivalents (FTEs) on the contract but SDSTA will only hire a few FTEs immediately due to limited activity initially, ramping up FTEs over time. Meanwhile, SDSTA will leverage existing staff—Chief Operating Officer Wendy Straub will lead the project under Operations. Mr. Headley said on any given shift, there will be three technicians on the surface and three on the 4850L to handle, along with the Ross crew, receipt of supplies and equipment. The contract also requires one mechanic, one quality assurance, and one safety person. Ms. Straub added that some of the equipment needed will be leased to perform the work.

Chairperson Peterson asked if there were any questions, and Ms. Lebrun said this is a monumental project and appreciated the information provided.

Mr. Engel said that he and the SDSTA team negotiated a few terms with FFDG, and one of those terms was liability for damage to property that SDSTA staff will be handling. Under federal law, generally speaking, SDSTA is not responsible for property damage that is owned by the U.S. government unless the property is misplaced. If the property is owned by an entity other than the U.S. government, then FFDG will be required to provide evidence the owner has property damage coverage. Mr. Engel noted this scope of services was also added to the owner's interest policy.

*Motion by Ms. Lebrun and seconded by Dr. Fall to approve the agreement between SDSTA and FFDG for LBNF/DUNE Bull Gang and Buildings and Site Infrastructure (BSI) construction support services, to authorize the executive director to negotiate the final terms and conditions in consultation with the chairperson and legal counsel, and to authorize the SDSTA executive director to sign the agreement. Motion passed unanimously.*

#### **ITEM 5. PUBLIC COMMENTS**

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

#### **ITEM 6. BOARD COMMENTS**

There were no comments by the board.

#### **ITEM 7. ADJOURN**

*Motion by Mr. Dykhouse and seconded by Dr. Fall to adjourn. The motion passed unanimously.*

The meeting adjourned at 3:13 p.m. (MDT) on May 22, 2025.



**Conflict of Interest Disclosure—Mr. Tim Engel**

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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**

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*See recommended motion below.*

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**Recommended Action:**

*Motion to approve or deny as appropriate.*

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**Audit Committee Members—Chair Casey Peterson**

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Annual appointment of Audit Committee members.

*(see recommended motion below)*

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**Recommended Action:**

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

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**Financial Report—Mr. Headley and Mr. Terry Miller**

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The Financial Report includes the following:

7A. Financial Summaries for April 2025, *attached*.

7B. Approval of FY2026 budget, *attached*.

*(see suggested motion below)*

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**Recommended Action:**

*7A. Motion to accept financial report as presented.*

*7B. Motion to approve FY2026 budget as presented.*

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DIVISION: ALL

## BALANCE SHEET

## ASSETS

AS OF  
04/30/25

## CURRENT ASSETS

First Interstate Checking	\$	2,073,987.53
		-----
Total in Local Checking		2,073,987.53
SD Treas: Indemnification		7,500,000.00
SD Treas: Mine Closure		1,631,104.50
SD Treas: Operating		1,275,910.58
SD Treas: SB35 Appropriation		118,792.19
SD Treas: Experiments		497,029.59
		-----
Total with SD Treasurer		11,022,836.86
Billed A/R		1,026,857.23
Unbilled A/R		1,244,145.25
Other A/R		483,853.47
Inventory - Supplies		1,951,622.96
Inventory - Warehouse		398,250.19
Other Current Assets		1,612,208.61
		-----
Total Current Assets		19,813,762.10

## FIXED ASSETS

Land, Underground & Other		12,793,484.40
Bldgs & Infrastructure		19,215,582.35
Improvements		63,312,036.57
Work in Progress		11,548,590.23
Computer Equipment		394,495.88
Equipment & Fixtures		9,865,301.85
DOE Property Transfer		56,103,548.47
Accum Depr & Amort		(26,977,084.59)
DOE Prop. Accum Deprec.		(2,114,677.53)
		-----
Total Fixed Assets		144,141,277.63

## OTHER ASSETS

Asset Retirement Obligation Deferred Outflows		1,129,637.92
Asset Retirement Obligation Accumulated Depr.		(75,309.20)
Pension Deferred Outflows		5,311,868.62
Xenon Purchased		8,687,833.46
		-----
Total Other Assets		15,054,030.80

## TOTAL ASSETS

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\$ 179,009,070.53

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DIVISION: ALL

## BALANCE SHEET

## LIABILITIES &amp; EQUITY

		AS OF 04/30/25
		<hr/>
CURRENT LIABILITIES		
Accounts Payable	\$	1,240,527.65
Other Payables		439,699.72
		<hr/>
Total Accounts Payable		1,680,227.37
Accrued Payroll Liab		2,794,084.67
		<hr/>
Total Current Liabilities		4,474,312.04
OTHER LIABILITIES		
LT Xenon Notes Payable		3,121,190.01
Pension Deferred Inflows		3,045,436.77
Asset Retirement Obligation		1,590,404.24
		<hr/>
Total Other Liabilities		7,757,031.02
EQUITY		
Restricted: Indemnification		7,500,000.00
Restricted: SB35 Appropriation		118,792.19
Restricted: Mine Closure		1,631,104.50
Restricted: Pension		2,266,431.85
Restricted: Experiment. Int.		497,029.59
		<hr/>
Total Restricted Funds		12,013,358.13
Investment in Gen FA		144,141,277.63
Unrestricted Funds		10,623,091.71
		<hr/>
Total Equity		166,777,727.47
		<hr/>
TOTAL LIABILITIES & EQUITY	\$	179,009,070.53
		<hr/>

ALL

## STATEMENT OF INCOME

FOR THE PERIOD ENDING 4/30/2025

	YR-TO-DATE
	-----
REVENUE	
DOE Subcontracts	\$ 75,561,958.88
Checking Interest	3,572.98
Interest Income	196,478.50
	-----
TOTAL REVENUE	75,762,010.36
DIRECT COSTS	
Direct Labor	8,578,413.24
Board of Directors	17,529.04
Capital Outlay >\$5K	383,052.37
Contractual Svcs	14,510,804.76
Inventory	299,062.33
Supplies	1,447,448.57
Travel - Domestic	175,333.59
Travel - Foreign	16,493.13
Utilities	1,954,675.18
Other Direct Costs	137,349.00
Unallow/Unbill Costs	209,451.48
	-----
TOTAL DIRECT COSTS	27,729,612.69
INDIRECT COSTS	
Fringe Benefits	7,631,848.76
Overhead	9,766,251.59
	-----
TOTAL INDIRECT COSTS	17,398,100.35
	-----
GROSS PROFIT/LOSS ( )FROM OPERATIONS	30,634,297.32
	-----
OTHER INCOME	
Water Treatment	159,674.21
Miscellaneous Income	36,069.00
Other Operating Income	152,701.00
	-----
TOTAL OTHER INCOME	348,444.21
OTHER EXPENSES	
Misc. Expenses & Donations	(2,331,278.22)
Loss (Gain) on Sale of FA	677,360.81
Other Unallowable Expense	861,310.53
Reclass Incr Net Assets	37,108,960.84
	-----
TOTAL OTHER EXPENSES	36,316,353.96
	=====
NET INCOME/LOSS ( )	\$ (5,333,612.43)
	=====

DIVISION: ALL

## COMPARATIVE BALANCE SHEET

## ASSETS

	AS OF 04/30/25	AS OF 04/30/24	\$ CHANGE	% CHANGE
<hr/>				
CURRENT ASSETS				
First Interstate Checking	\$ 2,073,987.53	\$ 2,293,269.00	\$ (219,281.47)	-9.56%
	-----	-----	-----	-----
Total in Local Checking	2,073,987.53	2,293,269.00	(219,281.47)	-9.56%
SD Treas: Indemnification	7,500,000.00	7,500,000.00	-	0.00%
SD Treas: Mine Closure	1,631,104.50	1,567,504.94	63,599.56	4.06%
SD Treas: Operating	1,275,910.58	1,643,238.62	(367,328.04)	-22.35%
SD Treas: SB35 Appropriation	118,792.19	10,515,475.07	(10,396,682.88)	100.00%
SD Treas: Experiments	497,029.59	550,878.65	(53,849.06)	-9.78%
	-----	-----	-----	-----
Total with SD Treasurer	11,022,836.86	21,777,097.28	(10,754,260.42)	-49.38%
Billed A/R	1,026,857.23	1,677,361.31	(650,504.08)	-38.78%
Unbilled A/R	1,244,145.25	1,038,370.39	205,774.86	19.82%
Other A/R	483,853.47	655,551.79	(171,698.32)	-26.19%
Inventory - Supplies	1,951,622.96	3,300,161.33	(1,348,538.37)	-40.86%
Inventory - Warehouse	398,250.19	494,153.11	(95,902.92)	-19.41%
Other Current Assets	1,612,208.61	1,665,926.38	(53,717.77)	-3.22%
	-----	-----	-----	-----
Total Current Assets	19,813,762.10	32,901,890.59	(13,088,128.49)	-39.78%
 FIXED ASSETS				
Land, Underground & Other	12,793,484.40	12,793,484.40	-	0.00%
Bldgs & Infrastructure	19,215,582.35	19,215,582.35	-	0.00%
Improvements	63,312,036.57	63,312,036.57	-	0.00%
Work In Progress	11,548,590.23	6,039,722.86	5,508,867.37	91.21%
Computer Equipment	394,495.88	366,435.18	28,060.70	7.66%
Equipment & Fixtures	9,865,301.85	10,190,126.39	(324,824.54)	-3.19%
DOE Property Transfer	56,103,548.47	10,311,197.32	45,792,351.15	444.10%
Accum Depr & Amort	(26,977,084.59)	(25,029,617.06)	(1,947,467.53)	7.78%
DOE Prop. Accum Deprec.	(2,114,677.53)	(1,341,659.10)	(773,018.43)	57.62%
	-----	-----	-----	-----
Total Fixed Assets	144,141,277.63	95,857,308.91	48,283,968.72	50.37%
 OTHER ASSETS				
Asset Retirement Obligation Deferred Outflows	1,129,637.92	1,129,637.92	-	0.00%
Asset Retirement Obligation Accumulated Depr.	(75,309.20)	(37,654.60)	(37,654.60)	100.00%
Pension Deferred Outflows	5,311,868.62	5,823,104.49	(511,235.87)	-8.78%
Xenon Purchased	8,687,833.46	8,687,833.46	-	0.00%
	-----	-----	-----	-----
Total Other Assets	15,054,030.80	15,602,921.27	(548,890.47)	-3.52%
 TOTAL ASSETS				
	=====	=====	=====	=====
	\$ 179,009,070.53	\$ 144,362,120.77	\$ 34,646,949.76	24.00%
	=====	=====	=====	=====

DIVISION: ALL

## COMPARATIVE BALANCE SHEET

## LIABILITIES &amp; EQUITY

	AS OF 04/30/25	AS OF 04/30/24	\$ CHANGE	% CHANGE
CURRENT LIABILITIES				
Accounts Payable	\$ 1,240,527.65	\$ 3,169,655.40	(1,929,127.75)	-60.86%
Other Payables	439,699.72	5,064.48	434,635.24	8582.03%
	-----	-----	-----	-----
Total Accounts Payable	1,680,227.37	3,174,719.88	(1,494,492.51)	-47.07%
Accrued Payroll Liab	2,794,084.67	2,456,635.03	337,449.64	13.74%
	-----	-----	-----	-----
Total Current Liabilities	4,474,312.04	5,631,354.91	(1,157,042.87)	-20.55%
OTHER LIABILITIES				
LT Xenon Notes	3,121,190.01	3,121,190.01	-	0.00%
Pension Deferred Inflows	3,045,436.77	3,447,916.22	(402,479.45)	-11.67%
Asset Retirement Obligation	1,590,404.24	1,196,884.99	393,519.25	32.88%
	-----	-----	-----	-----
Total Other Liabilities	7,757,031.02	7,765,991.22	(8,960.20)	-0.12%
	-----	-----	-----	-----
TOTAL LIABILITIES	12,231,343.06	13,397,346.13	(1,166,003.07)	-8.70%
EQUITY				
Restricted: Indemnificati	7,500,000.00	7,500,000.00	-	0.00%
Restricted: SB35 Appropriation	118,792.19	10,515,475.07	(10,396,682.88)	100.00%
Restricted: Mine Closure	1,631,104.50	1,567,504.94	63,599.56	4.06%
Restricted: Pension	2,266,431.85	2,375,188.27	(108,756.42)	-4.58%
Restricted: Experim. Int.	497,029.59	550,878.65	(53,849.06)	-9.78%
	-----	-----	-----	-----
Total Restricted Funds	12,013,358.13	22,509,046.93	(10,495,688.80)	-46.63%
Investment in Gen FA	144,141,277.63	95,857,308.91	48,283,968.72	50.37%
Unrestricted Funds	10,623,091.71	12,598,418.80	(1,975,327.09)	-15.68%
	-----	-----	-----	-----
TOTAL EQUITY	166,777,727.47	130,964,774.64	35,812,952.83	27.35%
	=====	=====	=====	=====
TOTAL LIABILITIES & EQUITY	\$ 179,009,070.53	\$ 144,362,120.77	\$ 34,646,949.76	24.00%
	=====	=====	=====	=====

## COMPARATIVE STATEMENT OF INCOME

FOR THE PERIOD ENDING 04/30/2025

	YEAR TO DATE	PRIOR YEAR TO DATE	\$ CHANGE	% CHANGE
REVENUE				
DOE Subcontracts	\$ 75,561,958.88	\$ 32,793,303.66	\$ 42,768,655.22	130.42%
Checking Interest	3,572.98	6,288.28	(2,715.30)	-43.18%
Interest Income	196,478.50	306,511.45	(110,032.95)	-35.90%
	-----	-----	-----	-----
TOTAL REVENUE	75,762,010.36	33,106,103.39	42,655,906.97	128.85%
DIRECT COSTS				
Direct Labor	8,578,413.24	8,318,911.31	259,501.93	3.12%
Board of Directors	17,529.04	8,418.71	9,110.33	108.22%
Capital Outlay >\$5K	383,052.37	1,492,839.79	(1,109,787.42)	100.00%
Contractual Svcs	14,510,804.76	9,558,365.19	4,952,439.57	51.81%
Inventory	299,062.33	254,304.14	44,758.19	17.60%
Supplies	1,447,448.57	1,839,971.47	(392,522.90)	-21.33%
Travel - Domestic	175,333.59	111,312.12	64,021.47	57.52%
Travel - Foreign	16,493.13	12,773.21	3,719.92	29.12%
Utilities	1,954,675.18	1,877,616.19	77,058.99	4.10%
Other Direct Costs	137,349.00	233,860.58	(96,511.58)	-41.27%
Unallow/Unbill Costs	209,451.48	186,994.12	22,457.36	12.01%
	-----	-----	-----	-----
TOTAL DIRECT COSTS	27,729,612.69	23,895,366.83	3,834,245.86	16.05%
INDIRECT COSTS				
Fringe Benefits	7,631,848.76	7,536,138.97	95,709.79	1.27%
Overhead	9,766,251.59	9,574,575.80	191,675.79	2.00%
	-----	-----	-----	-----
TOTAL INDIRECT COSTS	17,398,100.35	17,110,714.77	287,385.58	1.68%
	-----	-----	-----	-----
GROSS PROFIT/LOSS ( )	30,634,297.32	(7,899,978.21)	38,534,275.53	517.81%
	-----	-----	-----	-----
OTHER INCOME				
Water Treatment	159,674.21	181,833.32	(22,159.11)	-12.19%
Miscellaneous Income	36,069.00	31,760.23	4,308.77	13.57%
Other Operating Income	152,701.00	103,155.97	49,545.03	48.03%
	-----	-----	-----	-----
TOTAL OTHER INCOME	348,444.21	316,749.52	31,694.69	10.01%
OTHER EXPENSES				
Misc. Expenses & Donations	(2,331,278.22)	(3,311,382.54)	980,104.32	-29.60%
Loss (Gain) on Sale of FA	677,360.81	139,191.34	538,169.47	386.64%
Other Unallowable Expense	861,310.53	503,816.47	357,494.06	70.96%
Reclass Incr Net Assets	37,108,960.84	(502,512.31)	37,611,473.15	-7484.69%
	-----	-----	-----	-----
TOTAL OTHER EXPENSES	36,316,353.96	(3,170,887.04)	39,487,241.00	-1245.31%
	=====	=====	=====	=====
NET INCOME/LOSS ( )	\$ (5,333,612.43)	\$ (4,412,341.65)	\$ (921,270.78)	20.88%
	=====	=====	=====	=====

**South Dakota Science & Technology Authority**  
**Available Resources**  
**4/30/2025**

Cash Total Checking	\$ 2,073,988
Cash With State Treasurer	<u>\$ 11,022,837</u>
Total Cash	\$ 13,096,824
Less: Restricted Funds	
Indemnification/Mine Closure	\$ (9,131,105)
SB35 Appropriation	\$ (118,792)
Experiments (Xenon, Interest, Infrastructure)	\$ (497,030)
Total Cash Available for Infrastructure Upgrades and Authority Operations	\$ 3,349,898
Plus: Accounts Receivable Billed	\$ 1,026,857
FY21 and FY22 Indirect True up in A/R above	\$ 407,998
Transfer request from the SB35 Appropriation	\$ 47,118
Accounts Receivable Unbilled	\$ 1,244,145
Less: Current Liabilities (Accounts Payable & Accrued Payroll)	\$ (4,474,312)
Available Cash and Receivables	<u>\$ 1,601,705</u>

# SDSTA Operating Budget Summary FY2025

Actual vs Budget  
April 2025 & YTD

	April 2025	Budget	\$ Over/Under Budget	% of Budget	Actual YTD	YTD Budget	\$ Over/Under Budget	% of Budget	% Remaining
									100%
SDSTA (Authority) Direct Charges									
Board of Directors	\$520	\$2,410	\$1,890	21.6%	\$18,521	\$24,100	\$5,579	76.85%	23.15%
Executive Office	\$36,891	\$65,317	\$28,426	56.48%	\$743,640	\$654,867	(\$88,773)	113.56%	-13.56%
SURF Institute	\$10,494	\$16,528	\$6,034	63.49%	\$209,839	\$181,974	(\$27,865)	115.31%	-15.31%
Science Center E & O	\$350	\$250	(\$100)	140.0%	\$71,950	\$52,500	(\$19,450)	137.05%	-37.05%
SURF Foundation	\$44,813	\$29,631	(\$15,182)	151.24%	\$301,337	\$300,950	(\$387)	100.13%	-0.13%
Science Liaison	-\$2,635	\$0	\$2,635	100.0%	-\$1,285	\$0	\$1,285	100%	NA
SLHVC (Visitor Center)	\$19,855	\$27,776	\$7,921	71.48%	\$248,208	\$275,387	\$27,179	90.13%	9.87%
Subtotal	\$110,290	\$141,912	\$31,623	77.72%	\$1,592,211	\$1,489,778	(\$102,433)	106.88%	-6.88%
Federal/State Funding - Direct Charges									
FRA C#671265 Prof. St.Services	\$14,820	\$11,128	(\$3,692)	133.17%	\$141,078	\$111,280	(\$29,798)	126.78%	-26.78%
FRA C#717420 Ross H.F. Misc. Eng.	\$4,654	\$4,654	\$0	100.0%	\$29,136	\$29,136	\$0	100.00%	0.00%
FRA C#674969 Logs Support and / C#713179 BSI Logs Support	\$190,493	\$301,020	\$110,527	63.28%	\$2,031,344	\$3,010,200	\$978,856	67.48%	32.52%
Fermi C#711484 Gen Site Services	\$8,985	\$42,718	\$33,733	21.03%	\$123,096	\$427,176	\$304,080	28.82%	71.18%
Fermi C#711513 Electrical Study	\$0	\$0	\$0	0.0%	\$35,238	\$35,238	\$0	100.00%	0.00%
Office of Science Coop.Agree	\$1,849,796	\$1,824,980	(\$24,816)	101.36%	\$15,962,977	\$16,355,039	\$392,062	97.60%	2.40%
Office of Science IIP Projects	\$234,766	\$234,766	\$0	100.0%	\$7,492,000	\$7,492,000	\$0	0.00%	0.00%
LBNL LZExp.Operat.C#7650068 & DE-SC0022857	\$53,886	\$53,288	(\$598)	101.12%	\$511,387	\$532,882	\$21,495	95.97%	4.03%
Battelle Mem. Inst - DEMO-FTES	\$0	\$1,958	\$1,958	0.0%	\$17,964	\$19,581	\$1,617	91.74%	8.26%
MJD (Majorana) SDSM&T CT005350 CT008480	\$2,673	\$2,008	(\$665)	133.12%	\$21,063	\$20,080	(\$983)	104.90%	-4.90%
BHSU E & O - CT004853 & CT004854	\$4,071	\$10,158	\$6,086	40.08%	\$42,187	\$87,198	\$45,011	48.38%	51.62%
Caspar	\$67	\$67	\$0	100.0%	\$67	\$67	\$0	100.00%	0.00%
* Kiewit/Thyssen/DakotaT.	\$0	\$0	\$0	0.0%	\$0	\$0	\$0	0.00%	100.00%
* Caterpillar Inc.	\$0	\$0	\$0	0.0%	\$0	\$0	\$0	0.00%	100.00%
Subtotal	\$2,364,211	\$2,486,745	\$122,534	95.07%	\$26,407,539	\$28,119,878	\$1,712,339	93.91%	6.09%
Indirect Expenses									
Indirect Charges Personnel	\$425,638	\$685,159	\$259,521	62.12%	\$4,380,423	\$6,576,086	\$2,195,663	66.61%	33.39%
Indirect Charges Other	\$510,502	\$657,412	\$146,910	77.65%	\$5,845,115	\$6,947,220	\$1,102,105	84.14%	15.86%
Subtotal	\$936,140	\$1,342,572	\$406,431	69.73%	\$10,225,538	\$13,523,306	\$3,297,767	75.61%	24.39%
Totals	\$3,410,641	\$3,971,229	\$560,587	85.88%	\$38,225,288	\$43,132,961	\$4,907,674	88.62%	11.38%
* Private Corporations (Commercial Group)									



# SDSTA Operating Budget Summary FY2026

July 2025 - June 2026

## Sources of Revenue

	Federal Funding	SDSTA Funds	Total Budget \$	Budget \$ FY2025	Difference
The FY2026 budget is from the CA2 - year 1, for July to Sept of 2025, and year 2, for Oct to June 2026 including IIP					
Board of Directors		\$34,920	\$34,920	\$28,920	\$6,000 Added budget for travel expenses
Executive Office (Includes Xenon Interest/Insurance, Marketing and Unallowable)		\$889,000	\$889,000	\$783,500	\$105,500 Added budget for interest expense and decreased budget to reflect some cost saving measures
SURF Foundation		\$698,898	\$698,898	\$359,704	\$339,194 Increase in projected wages
Science Liaison - Collecting Liquid Nitrogen Costs (bill to contract users)		\$0	\$0	\$0	\$0 No Change
Science Center E & O		\$56,000	\$56,000	\$81,000	(\$25,000) Moved Neutrino Day and Deep Talks to indirect budget
SURF Institute		\$0	\$0	\$274,411	(\$274,411) Moved to indirect budget
SLHVC (Sanford Visitor Center)		\$333,174	\$333,174	\$330,337	\$2,837 Slight increase
4850 UG laboratory Expansion Phase 1		\$65,000	\$65,000	\$4,732,910	(\$4,667,910) a few misc. items to complete in FY2026
<b>Total</b>		\$2,076,992	\$2,076,992	\$6,590,782	(\$4,513,790)

<b>Total Authority Operating Budgets</b>	\$0	\$2,076,992	\$ 2,076,992	\$6,590,782	(\$4,513,790)
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<b>Federal Funding (includes Indirect Budget)</b>	<b>\$56,257,823</b>	<b>\$56,257,823</b>	<b>\$43,275,575</b>	<b>\$12,982,247</b>	See Details on Difference on Next Tab
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<b>Total for Approval</b>	<b>\$56,257,823</b>	<b>\$2,076,992</b>	<b>\$ 58,334,814</b>	<b>\$49,866,357</b>	<b>\$8,468,457</b>
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## Total FTE

SDSTA Funds 4.0 FTE + 1.0 FTE interns  
Other & Indirect 232

Total FTE 237 Net Increase of 38

SDSTA Funds includes funding from GOED for Xenon Interest  
SDSTA Funds includes funding from SB35 for UG Lab Expansion  
SDSTA Funds includes funding from SURF Foundation Approx. \$100K

**SDSTA**  
**FY2026Budget**

<u>Funding Source</u>	<u>P.O/Subc.</u>	<u>FY26 Amount</u>	<u>FY25 Amount</u>	<u>Difference</u>	<u>Details on Differences</u>
CA Cooperative Agreement	DE-SC0020216	\$ 25,909,496.00	\$ 21,915,327.48	\$ 3,994,168.52	The FY2026 budget is from the CA2 - year 1, for July to Sept of 2025, and year 2, for Oct to June 2026 including IIP budgets. The primary reason for the increase is salary increases, new positions, and inflation.
DOE LZ Experiment Support/Research Grant	DE-SC0022857	589,837	584,703	5,134	Supported by DOE grant in FY2026
LBNL LZ Experiment Support/Research Grant	7650068	52,265	54,758	(2,493)	Continued minimal support in FY26
FRA Ross Logistics BSI Support	674969	4,075,698	3,612,239	463,459	Change primarily due to salary increases in FY2026.
FRA LBNF/DUNE-US Bull Gang	724345	5,758,532	-	5,758,532	New FRA contract assisting with buildings and site infrastructure (BSI)
FRA Engineer Support	671265	172,212	133,539	38,673	Change primarily due to inclinometer replacement
FRA LBNF Grounds Keeping Support	711484	517,450	512,611	4,839	Very comparable to prior year
SDM&T MJD	CT005350	10,902	24,097	(13,195)	Project will be decommissioning in FY2026
BHSU Education Grants	CT004854/CT004853	37,392	35,614	1,778	Very comparable to prior year
CUSSP	New Contract	10,000	13,500	(3,500)	Very comparable to prior year
CASPAR	New Contract	6,000	2,626	3,374	CASPAR will be resuming activities again in FY2026
DEMO FTES	700997	11,165	23,499	(12,334)	Project will be decommissioning in FY2026
Respec		2,000	-	2,000	Will have a small amount to bill in FY2026
Caterpillar	Lease	94,097	93,598	499	Same Contract
Indirects		19,010,777	16,269,464	2,741,313	Increased primarily for: employee compensation, depreciation, and liability insurance. Also moved the Institute, Neutrino Day, and Deep Talks programs from SDSTA funding.
					-
Totals		<u>\$ 56,257,823</u>	<u>\$ 43,275,575</u>	<u>\$ 12,982,247</u>	

**SURF Foundation—Ms. Annie Averitt**

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SURF Foundation (SURFF)

8A. Approve re-appointment of Justin Varland to the Foundation board for a three-year term commencing June 2025, *attached*.

*(see recommended motion below)*

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**Recommended Action:**

*8A. Motion to approve re-appointment of Justin Varland to the SURF Foundation board for a three-year term, effective June 2025.*

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**Executive Director's Report—Mr. Mike Headley**

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The Executive Director's Report includes the following:

- 9A. Declarations of Surplus (4)
  - 1. Spectrometer, dispose
  - 2. Fletcher Bolter and misc, dispose
  - 3. Four sticks of retired rail, donate to Lead Beautification
  - 4. IBM server and misc, recycle
- 9B. SDSTA quarterly update—*informational*.
- 9C. Education and Outreach (E&O) update—SDSTA Director of E&O Ms. Nicol Reiner, *informational*.
- 9D. Water Project update—SDSTA Ops Team, *informational*.  
(*See recommended motion below.*)

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**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. All items are fully depreciated, still operate, have monetary value, and will be designated surplus for sale.

- Hach DR 2800 Spectrometer, SN 135215 (Asset TS-WTS00-05)

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

Donate \_\_\_\_\_ Sell \_\_\_\_\_ Recycle \_\_\_\_\_ Dispose  X  Surplus In-place \_\_\_\_\_

Dated at Lead, South Dakota this 17th day of April 2025

Mike Headley  
SDSTA Executive Director

Signature:   
Mike Headley, Apr 17, 2025 10:53 MDT

### Revision History

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
01	11/14/2023	NA	NA	Initial Release	CCR 867
02	8/29/2024	NA	NA	Updated document due to new decommissioning standard	CCR 999

## Declaration of Surplus Property

The South Dakota Science and Technology Authority (SDSTA) owns the listed items below that have reached end-of-life. It is not cost effective to repair them nor do they have monetary value to be sold, therefore the equipment will be scrapped.

- BR-TMU01-01 – Fletcher Bolter Diesel (SN 2013500)
- BR-TMU01-02 – Fletcher Bolter Drill Feed Cylinder Assembly
- DL-TMU01-02 – Fletcher Long Drill Mast (Model N3112-AD/E)
- DL-TMU01-01 – Fletcher Short Drill Mast (Model N3112-AD/E)
- FS-TMU01-01 – Fletcher Bolter Dry Chemical

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

Donate \_\_\_\_\_ Sell \_\_\_\_\_ Recycle \_\_\_\_\_ Dispose  X  Surplus In-place \_\_\_\_\_

Dated at Lead, South Dakota this 29<sup>th</sup> day of April 2025.

Mike Headley  
SDSTA Executive Director

Signature:  \_\_\_\_\_  
Mike Headley (Apr 29, 2025 08:45 MDT)

### Revision History

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
01	11/14/2023	NA	NA	Initial Release	CCR 867
02	8/29/2024	NA	NA	Updated document due to new decommissioning standard	CCR 999



## Declaration of Surplus Property

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

- 4 Sticks of Retired Rail

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

Donate ☒ Sell ☐ Recycle ☐ Dispose ☐ Surplus In-place ☐

Dated at Lead, South Dakota this 7th day of May 2025.

Mike Headley  
SDSTA Executive Director

Signature:   
Mike Headley (May 7, 2025 14:22 MDT)

### Revision History

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
01	11/14/2023	NA	NA	Initial Release	CCR 867
02	8/29/2024	NA	NA	Updated document due to new decommissioning standard	CCR 999

## Declaration of Surplus Property

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

- IBM Process Server RS6000
- IBM Storage Service RS6000 (SN 32H5695)
- IBM 3151 Monitor
- IBM Floppy Drive (SN MS72082666651)
- IBM Keyboard

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

Donate \_\_\_\_\_ Sell \_\_\_\_\_ Recycle  X  Dispose \_\_\_\_\_ Surplus In-place \_\_\_\_\_

Dated at Lead, South Dakota this 29th day of May 2025.

Mike Headley  
SDSTA Executive Director

Signature:  \_\_\_\_\_  
Mike Headley May 29, 2025 13:07 MDT

### Revision History

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
01	11/14/2023	NA	NA	Initial Release	CCR 867
02	8/29/2024	NA	NA	Updated document due to new decommissioning standard	CCR 999



**SANFORD  
UNDERGROUND  
RESEARCH  
FACILITY**

**SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY**

## **March-May 2025 Progress Report**

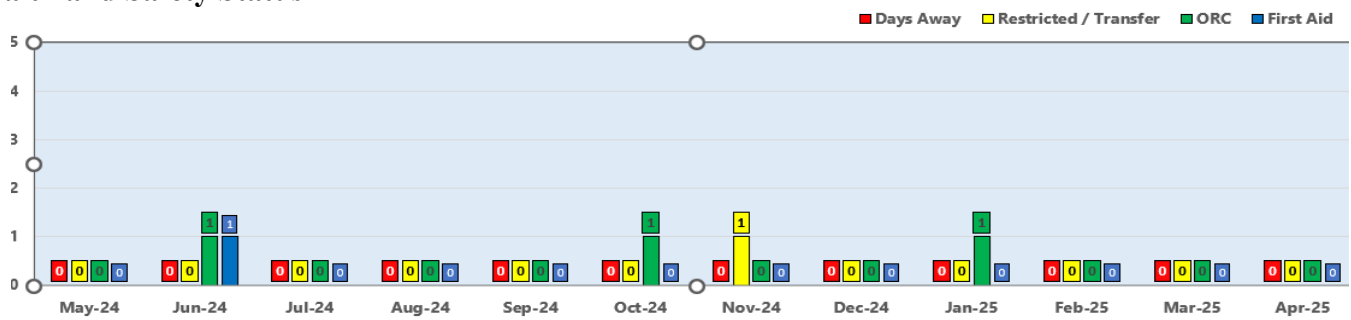
*Submitted on June 18, 2025, to the  
South Dakota Science and Technology Authority Board of Directors*

*Mike Headley  
SDSTA Executive Director  
SURF Laboratory Director*



## Environment, Safety and Health (ESH) Status

### Health and Safety Status



SDSTA Rolling 12 Months – Days Away Restricted or Transferred Rate 1.05

### March 2025 through May 2025: Recordable Cases

- N/A

### March 2025 through May 2025: First Aid Cases

- N/A

### ESH Support

- Melissa Quenzer – ESH Support Associate
- Faith Melanson – Operations & Emergency Response Dispatcher
- Krystal Tesch – Operations & Emergency Response Dispatcher
- Suzanne Ackerman – Occupational Health Nurse (Contractor)

### Work Accomplishments

- The SDSTA management team completed the required annual Management Review for the Integrated Management System.
- The Emergency Response Team (ERT) trained on rope equipment, escape ways from the underground, and advanced medical techniques.
- ERT hosted the City of Lead Fire Department for site orientation/familiarization and training.
- The 4850L Ross Campus refuge chamber standard operating process was updated to reflect the first phase of recommissioning the Compact Accelerator System Performing Astrophysical Research (CASPAR) experiment.
- SDSTA received the Environment, Safety, and Health (ESH) Advisory Committee final report for 2024.
- The Waste Management Standard was updated and approved.
- The first-quarter drill exercise was successfully conducted, achieving the objectives of evacuating underground occupants to the refuge and providing training on the 4850L Refuge Chamber. Full accountability of personnel was accomplished.
- The ESH team hosted the SD Office of Risk Management and the Mine Safety and Health Administration consultant for the first quarter compliance visit. They observed the first-quarter drill exercise in the Emergency Operations Center.
- ESH/ERT participated in the LBNF/DUNE collaboration with Fermi Forward Discovery Group (FFDG) and its contractor, who is providing the liquid nitrogen system.
- ESH participated in the LBNF/DUNE Project – CERN-Fermilab team collaboration kickoff meeting. The purpose of this collaboration is to develop and implement effective safety guidance and requirements.
- ESH conducted a visit to the 4850L Refuge Chamber with stakeholders to discuss opportunities for improvement. Many of these improvements have been implemented.
- ESH personnel, including the occupational health nurse, completed training through the Council for Accreditation in Occupational Hearing Conservation.
- ERT hosted a refresher HAZWOPER class for ERT members, SDSTA staff, Fermilab personnel, and local hospitals and fire departments.
- Quarterly inspections were conducted on all refuge chambers and designated areas of refuge.
- The ESH team, in collaboration with engineering and operations, completed the incident investigation of the Ross Chair Incident. The root cause of the incident was: "Failure of the Infrastructure Technician to visually verify that

the chair lugs were fully retracted before sending the cage to surface". Corrective actions have been initiated and many completed.

### Upcoming Activities/Trainings

- Internal First Aid/CPR/AED training
- Mental Health First Aid training
- Rope rescue training

### Wellness Initiatives

- June – Fruit in your water Fridays

### Environmental

- The environmental group updated the EPA's Underground Injection Control authorization, changing the designation from excavation operations (TMI) to infrastructure construction operations (FFDG).
- The environmental group reported that results from the first semi-annual Whole Effluent Toxicity (WET) testing for 2025 were received. As required by the National Pollutant Discharge Elimination System (NPDES) permit, the results were a "Pass" for both the water flea and the fathead minnow.
- Environmental personnel completed the required online Historic Preservation Training titled An Introduction to Tribal Cultural Monitors, following the Programmatic Agreement.
- A spill at the Yates Compressor House was reported to the SD DANR. The "spill" was required to be reported because it is less than 25 gallons, but it was not cleaned up within 24 hours. The leak occurred indoors onto concrete, but this did not negate the requirement for reporting. Work orders have been completed to drain the oil in the compressors and clean up the compressor house floor.
- The March and April 2025 Discharge Monitoring Reports were completed, signed, and submitted. All discharged water remained in compliance with permit limits. The May Report is due by June 28.
- The first semiannual sitewide stormwater pollution prevention inspection of 2025 was completed with no significant findings.
- A waste shipment was completed by Veolia; the previous shipment was 321 days prior. The waste shipped off-site for disposal includes: 299 lbs. of hazardous waste (aerosol cans, flammable liquid), 380 lbs. of universal waste (batteries, fluorescent bulbs), and 2995 lbs. of non-hazardous waste (petro-contaminated soil, neutralized acid, compressed gas cylinders). These quantities classify SURF as a very small quantity generator of hazardous waste.

### Third-Party Review Recommendations Status

#### Safety Inspection



### Quality Assurance / Quality Control Status

#### Work Accomplishments

- Change Control Request (CCR) submittals and approval/pending (2/14/2025 – 5-15-2025).
  - Initiated CCRs – 35
  - Approved CCRs – 35
  - Pending CCRs – 4
- SDSTA documents for the Integrated Management System (IMS) as of 5/15/2025 – total of 799.

CCR No.	Title	Status	Approval Date
1076	Engineering Form update	Approved	2/24/2025
1077	Tier II Reporting Map Revision	Approved	2/21/2025
1078	Ross 4850L Refuge Chamber Operations	Approved	2/24/2025
1079	Waste Management Standard	Approved	3/25/2025
1080	SDSTA Spill Reporting Standard	Approved	3/25/2025
1081	Incident Investigation Overview	Approved	3/11/2025
1082	Admin Service Documents	Approved	3/11/2025
1083	Engineering Note Approval update	Approved	3/12/2025
1084	SOP 61 LN Transfer Davis Campus	Approved	3/14/2025
1085	Construction RFP update	Approved	3/19/2025
1086	New ERP Maps	Approved	4/1/2025
1087	SDSTA Manual Update REV. 8	Approved	4/9/2025
1088	Management Review update	Approved	4/29/2025
1089	IT Maps	Approved	3/28/2025
1090	X-dock Work Instruction	Approved	3/28/2025
1091	SURF Underground Access Technical Specification	Approved	3/24/2025
1092	Admin Doc archive	Approved	4/11/2025
1093	WWTP ERP Map Revisions	Approved	4/14/2025
1094	SSPS update	Approved	4/29/2025
1095	IMSM documents update	Approved	4/29/2025
1096	Admin Services Register name update	Approved	4/17/2025
1097	H&S form update	Approved	4/17/2025
1098	Underground Infection Authorization	Approved	4/22/2025
1099	HR documents converted	Approved	4/24/2025
1100	SOP 28 update	Approved	4/30/2025
1101	HR Forms converted	Approved	4/25/2025
1102	ESH external documents	Approved	5/6/2025
1103	CA Reporting Requirements	Approved	5/1/2025
1104	SPCC Documents updated	Approved	5/6/2025
1105	New external document	Approved	5/7/2025
1106	SOP for Community Relations	Pending	
1107	CR Register	Pending	
1108	New User Checklist and Introduction Sheet update	Approved	5/9/2025
1109	CA Reporting Requirements	Pending	

- Completed projects
  - Deep Well Replacement
- Other completed activities
  - Internal Process Audits
    - Accounting and Finance Internal Audit
    - Administrative Services Internal Audit
    - Communications Internal Audit
    - Engineering Internal Audit
  - Internal IMSM Audits
    - QRT 1 IMS Internal Audit (IMSM-(P-400)-173251 Organizational Context, IMSM-(P-500)-173252 Leadership, IMSM-(P-600)-173253 Planning for the Integrated Management System, IMSM-(P-610)-173254 Risk Management Planning, and IMSM-(P-710)-173259 Resource Management)



- Nonconformances and Corrective Actions created (2/14/2025 – 5-15-2025)
  - Typical nonconformances - 6
  - Opportunities for improvement (external and internal audit) nonconformances - 19
  - Corrective Actions - 0

### **Current/Upcoming Activities**

- Upcoming projects and other activities
  - Contracts and Procurement Internal Audit
  - Education and Outreach Internal Audit
  - Information Technology Audit
  - Underground Operations Audit
    - QRT 2 IMS Internal Audit (IMSM-(P-720)-173261 Competence, Awareness, and Training, IMSM-(P-740)-173262 Communication, IMSM-(P-750)-173263 Control of Documented Information, IMSM-(P-810)-173264 Operational Planning and Control, IMSM-(P-820)-173259 Customer Related Processes, and IMSM-(P-825)-173268 Emergency Preparedness and Response)
- In-Process projects and other activities
  - Completion of Saddle Torquing at 5 locations
  - 3650L Pump Room Rehabilitation Project
  - WWTP RBC Replacement
  - Dewatering Control System
  - Yates Hoist Upgrade
  - Yates Complex Electrical Upgrade
  - Sanford Lab Homestake Visitor Center (SLHVC) Roof Repair
  - Moving IMS from a calendar year timeline to follow DOE's federal fiscal year timeline
  - Recertification ISO Audit to be held July 21-24
  - COTO log reviews (continuous)

### **Surface and Underground Operations Status**

#### **Yates Shaft**

##### **Work Accomplishments**

- Yates Shaft returned to normal operations on March 5, 2025.
- Good progress was achieved on the shaft-blocking campaign.
- The shaft watering system was improved.
- The team enhanced multiple Standard Operating Procedures and Work Instructions.
- New station gates were installed on several levels.

##### **Upcoming Activities**

- Participate in a shaft maintenance workshop planned for June 2025 to discuss next steps.
- Shaft crews to assist science groups restart operations at the Ross Campus.

#### **Ross Shaft**

##### **Work Accomplishments**

- A redundant shaft communication system (Cerberus) was installed to monitor chair position.
- Equipment and supplies were mobilized for BSI subproject for LBNF-DUNE.
- The new skip cage has been received and stored in Crusher building.
- Work officially commenced under the new SDSTA 'Bull Gang' contract on May 29.
- The contractor de-mobilized the 3650L pumphouse project.

##### **Upcoming Activities**

- Onboard additional personnel to support Building and Site Infrastructure (BSI) Logistics Support 'Bull Gang' work.
- Procure additional equipment required to support 'Bull Gang' scope.



## **Hoist Maintenance**

### **Work Accomplishments**

- Annual hoist inspections were completed by a Third-party.
- Ross Cage Hoist clutch non-destructive testing was completed.
- A hoist viewer was installed at Ross Top.
- A bearing was changed in the Yates Hoist Motor-Generator set.
- Specifications for Ross Hoist back-up generator were developed.

### **Upcoming Activities**

- Onboard a new Hoist Mechanic.

## **Underground Hazard Mitigation**

### **Work Accomplishments**

- The installation of the University of Wisconsin DAS project was completed in the 4850L Expansion Drift.
- Multiple Annual Level Inspections (ALIs) were completed.
- The Fletcher Bolter was demobilized from the 4850L to the surface.
- Airflow monitors were installed in the 4850L Expansion and Trolley Drifts.
- Legacy pipes were removed on the 3950L.
- Ground support was installed at the Ross 4850L station.

### **Upcoming Activities**

- Continue to support DEMO-FTS on the 4100L.
- Continue to install ground support in 3950L mainline.
- Support relocating Black Hills State University Underground Campus (BHUC) from the 4850L Davis Campus to Ross Campus.
- Rehabilitate rail at Ross Campus BHUC area and prepare for concrete installation.
- Complete Quarterly Ventilation Surveys and update Annual Ventilation Plan.
- Continue 2025 ALIs.

## **Surface Operations and Utilities (SOU) Support**

### **Facility Maintenance (Surface and 4850L) and Mobile Equipment**

#### **Work Accomplishments**

- The Mobile Equipment Mechanic and Laboratory Facility Technician positions were backfilled.
- Previously outsourced custodial services were brought in-house, and four new custodians were hired to support the transition.
- Buildings and Grounds facilities technicians completed two phases of a three-phase work plan to remove oil from legacy Homestake equipment.
- Carpet and chair cleaning was completed in various buildings onsite.
- Preventative maintenance and inspections were completed facility-wide (surface and underground) by outside contractors for HVAC and heaters, water heaters, pressure vessels, and compressors.

#### **Upcoming Activities**

- Continue to support for the BHUC laboratory move from the Davis Campus to the Ross Campus.
- Replace worn countertops in the 2<sup>nd</sup> floor kitchen of the Administration Building.
- Replace the front door to the Administration Building.
- Work will begin by the new custodial staff to deep clean the entire facility.

## **Electrical / Cyber Infrastructure / Dewatering**

#### **Work Accomplishments**

- Industrial controls and SCADA upgrades to the 1250L, 2450L, 3650L, and 5000L pump rooms, as well as the deep well pump is near completion; commissioning continues.
- Crews supported the 3650L pump replacement project.
- A solar array system was installed on the Yates Hoistroom to assist with battery backup of the cage radios.

- Began upgrades to the Oro Hondo Fan, which included automation of damper controls and off-site control of fans.

### **Upcoming Activities**

- Continue upgrades to the Femco pager system in the Yates Shaft.

## **Wastewater Treatment Plant (WWTP)**

### **Work Accomplishments**

- A meeting with Barrick was held to discuss a pumping plan from Grizzly Gulch impoundment.
- The WWTP suffered another RBC bearing failure in May, likely caused by a broken shaft.
- Media was loaded into the moving bed biofilm reactor (MBBR) basins, and the wetting process began.
- A new VT SCADA system for pumping is online, and all operators have been trained.

### **Upcoming Activities**

- Begin commissioning MBBR system after the 3650L pump room project is finished.
- Repair the skid 3 Yardney filter and replace media.

## **Operations Integration and Maintenance Planning**

### **Work Accomplishments**

- All information was gathered on the 2025 asset testing.
- The team assisted in scheduling and completing routine vendor preventive maintenance tasks.
- The team collaborated with Procurement to update and improve the purchase order form.
- ManagerPlus training was provided for new hires.

### **Upcoming Activities**

- Assist Buildings and Grounds Foreman with work wear program changes.
- Assist with new IMS objective (past due work orders); meet with departments and create weekly reports.

## **Engineering Support**

### **Work Accomplishments**

- 3650L Pump Room Rehab: All electrical was installed and tested. The team is changing the valving to an improved design configuration; pump commissioning follows in June.
- 1250L Pump Room Rehab: 100% final design was received and distributed for review.
- Ross Campus Restrooms: 100% design drawings were completed and grinder pump basins ordered. Electrical items are out for quote. The WWTP was received. The pipe network RFP has been posted to the website.
- Yates Complex Electrical Distribution Rehab: An early draft of the single line diagrams was reviewed for a new distribution configuration. The 30% Conceptual Design Submittal from the A/E was received and comments provided.
- SURF Dewatering PLC Recapitalization: The contractor mobilized in March to install new dewatering control system. Commissioning was completed in May with final acceptance.
- Shaft Utilities GIS: A Task Order Scope of Work for an A/E was developed to create a new web mapping application focusing on utilities in the Yates and Ross Shafts.
- The Yates Crusher building, shaft collar, and hoistroom were scanned and provided to A/E for the hoist upgrade project.
- Construction of the WWTP RBC replacement project is substantially complete. Other items completed include the electrical/control system and MBBR control system. Media was installed into the basin and blowers powered up to start media movement and prepare for warmer underground water. Bacteria growth onto media is ready to begin.
- Electrical Distribution Rehab Phase 1: Purchase Orders for electrical equipment (switchgear and transformers) have been awarded, and equipment approval drawings have been received and reviewed. The preliminary project schedule was developed in April and distributed to the LBNF project for coordination.
- E&O Rehab Conceptual Design: The pre-final conceptual design package was submitted in April. SDSTA comments have been returned to the design team. The final report is expected by the end of June.
- SLHVC Roof Replacement: RCS and Lowe Roofing mobilized, and roof replacement is underway.

- Yates Hoists Upgrades: The 50% design phase of the project was reached in April with the publishing of a alternates/options trade-off study. This study clarified/verified the preferred Base Case, plus viable alternatives/options to be documented in the final report and utilized in the RFP development.
- An SDSU senior design project site visit and testing were completed. Team placed 1<sup>st</sup> in their engineering expo and several outreach articles are being published to highlight the project with SURF.
- Silver Exchanged Zeolite Radon Reduction System: Approval for the procurement of up to 2kg of Silver Exchanged Zeolite for the purpose of developing a scalable low-input Radon reduction system was obtained. The current status of the project planning is ongoing while the procurement process is being worked through.

## **Science Support Status**

- The SURF Scientific Strategic Plan (Non-Physics) is making progress, with overviews provided for activities in Europe and North America. Another panelist is scheduled to meet with the Steering Committee in July.
- The next SURF Program Advisory Committee (SPAC) meeting dates are set for September 15-17 (2.5 days). Invitations have been sent to scientific community experts to recruit two new SPAC members.
- The SURF User Association re-elected four incumbent members; Executive Committee officers were (re-)elected.
- Arrangements are set for CETUP\* and PPC in June/July (some withdrawals due to funding and travel concerns). Planning continues for the Quantum Partnerships and Higher Education workshops at SURF in the fall.
- The multi-laboratory European NEXUS proposal was successful and is expected to fund travel for SDSTA/BHSU low background-counting personnel.
- The updated 2025 South Dakota Science & Technology plan (including underground science) was approved.
- The Nuclear Regulatory Commission (NRC) inspection report indicated a clear audit of SURF with no violations.
- The Research Scientist hiring process was halted due to budget uncertainty (good candidates had been identified).
- Interruptions: There were several weather-related power blips, including a Lead-wide power outage in mid-May that affected SURF facilities and experiments (see below). Ross Campus floor issues were reviewed by concrete/coating contractors, but in-house solutions are being attempted first. The Ross Campus chiller was offline for ~1 week due to issues with the water supply from the 4550L reservoir, and air handling unit components were replaced; the Ross Campus fire suppression system is fully active. There have been some issues with the Davis Campus access control system due to aging.

## **LUX-ZEPLIN—LZ**

- Data taking reached 593 days before operations were impacted by the mid-May power outage (and have not resumed as of early June).
- During the outage, initial stages of Xe recovery started partly due to the relative timing of two backup generators. No Xe was recovered before power was restored (personnel were also on-hand to intervene as necessary).
- Following the outage, detector instabilities resumed with internal light emission. High-voltage grid conditioning procedures that were used previously are underway.
- A leak developed in a circulation compressor hose, which was not identified immediately due to power outage impacts. Approximately 7 kg of xenon was lost (of >10,000 kg total). Circulation switched to the backup compressor while repairs on the affected unit are completed. There is no indication of contamination.
- Regular calibrations resumed after the extended neutron campaign was completed in mid-April. Injection calibrations (Rn-220, Xe-131m) were on hold until early June while panel sources were replenished.
- DAQ instability issues are being investigated (some components will likely be swapped out). A new version of the data acquisition and slow controls software is being tested, with the switchover expected by the end of June.
- Vendor technicians successfully addressed issues with cryocooler #2 as well as performing regular maintenance.
- Several LZ papers were recently accepted for publication in Physical Review Letters, including the dark matter search paper from October 2024, milli-charged particles, and cosmic ray-boosted dark matter.
- The LZ collaboration meeting planned for SURF was canceled mainly due to U.S. funding concerns (foreign collaborators are also disinclined to travel to the U.S.). XLZD siting considerations will be discussed in June.

## **MAJORANA DEMONSTRATOR—MJD**

- Data taking for Ta-180m decay search continues, with activities nominally ramping down in 2025. Some discussions were held with Oak Ridge National Lab (ORNL) personnel regarding the possibility of extending use of the DEMONSTRATOR infrastructure for double-beta decay-related measurements; wider discussions are planned for June.

- The final result of Ge-76 double-beta decay to excited states of Se-76 was accepted by Physical Review Letters.
- Chemistry for the electroforming baths was adjusted, and copper nuggets were added in advance of limited access during the BHUC move. A completed Copper (Cu) mandrel was removed from its bath in May, and a new mandrel was set.
- A portion of the chemical re-supply order was delivered to SURF (MgO for electrowinning and hydrogen peroxide); a large order of nitric acid is still expected.
- The University of North Carolina arranged for pick-up of the MAJORANA Low-background Broad Energy Germanium Detector at Kimballton germanium (MALBEK) Ge detector and associated Pb shielding.
- Machining and cleaning were completed for DArk Matter In CCDs at Modane (DAMIC-M) electroformed Cu parts (LEGEND work continues). A shipment of poly and Lead (Pb) was picked up in early June for transport to France.
- Electrowinning of the current batch of electrolyte will continue at the surface WWTP for a few more weeks.
- Residual acid from containers staged for transport to surface discolored the floor in a few areas at the Davis Campus (procedures have been updated to prevent a similar occurrence in the future).
- An initial Joint Oversight Group comprised of funding agency and facility representatives (including SURF) was created to discuss the future of neutrinoless double-beta decay (LEGEND, nEXO, CUPID, NEXT and XLZD). LEGEND-1000 is planning for a DOE Critical Decision-One (CD-1) review in November, nominally sited at Laboratori Nazionali del Gran Sasso (LNGS).

## **Low-Background Counting**

Black Hills State University Underground Campus—BHUC:

- Final assays for Pacific Northwest National Lab (PNNL), Zürich and DAMIC-M samples were completed at the Davis Campus in preparation for the transition back to the Ross Campus. The mid-May power outage had minimal effect on BHUC systems.
- The SURF science intern program merged with the BHSU Research Experiences for Undergraduates (REU) program – six students are participating this summer (mixture of physics, math and geology majors). The program runs late May through July.
- University of Kentucky personnel assessed the Ge-IV detector system, and further investigations and possible repairs are planned for the summer.
- Initial cleaning efforts are complete at the Ross Campus, and full cleanliness protocols are in effect again. In early June, SDSTA personnel painted the anteroom concrete pad that had deteriorated; a filler product was applied to seams inside the cleanroom, but additional work is required.
- With implementation paperwork updated, the migration from the Davis Campus back to the Ross Campus cleanroom started early June. After the first week, one Lawrence Berkeley National Lab (LBNL) detector (Maeve) and the LLNL dual-crystal system were moved to the Ross Campus along with their respective Pb shields.

## **Compact Accelerator System for Performing Astrophysical Research—CASPAR**

- SDSTA issued an Authorization to Proceed (ATP) for reassembly and initial recommissioning (no accelerator radiation). There has been good progress with recommissioning accelerator systems, including beamline cooling, magnet and vacuum systems. Cleaning and repairs of internal beamline components were also completed, and turbo and roughing pump pneumatic gate valves were tested using a new air compressor (old one replaced due to a leak).
- University of Notre Dame personnel were onsite often (a half-dozen times) during this quarter.
- Refuge Chamber integration work continues with the installation of an air intake shutoff button.

## **Geothermal—Demonstration of Fracture Thermal Energy Storage (DEMO-FTES) and Center for Understanding Subsurface Signals and Permeability (CUSSP)**

- DEMO-FTES: Personnel from PNNL, Sandia National Lab (SNL) and CO School of Mines made equipment repairs and adjustments to the cold water injection, but fluid recovery was worse than expected, so additional adjustments were made. Subsequently, a pump failed and was replaced, and current heat exchanger issues are being investigated.
- CUSSP: Federal funding is unlikely to support new 4100L drilling, bids will be used for future proposals.

## Other Current Research Activities

### Physics

- LBNF/DUNE: SURF/SD Mines will host the DUNE collaboration meeting in South Dakota in May 2026.
- Neutrons: Characterization activities are being performed monthly (focus on LUX/LZ neutron sources).

### Biology

- Liberty Biosecurity/Delavie Sciences: Representatives reached out to discuss new agreements.
- SDSU Mesonet: Implementation paperwork is in progress for a SURF climate station (installation in 2026).
- Other: The EPS was signed for the DULIA-Bio/REPAIR experiment to study effects of radiation on yeast.

### Geology

- 3D DAS: SDSTA personnel assisted with calibrations (using hydraulic rock breaker and hammer devices) during data taking and performed laser scans for experiment equipment. The experiment was decommissioned in April.
- Other: A SD Mines NASA geochemistry proposal was recommended for funding. A letter of support was provided for a National Science Foundation (NSF) biology electron transport study.

### Engineering

- Thermal Breakout: Vertical and horizontal 4100L borehole clearances were tested using a mock heater pipe.
- Environmental Monitoring: Airflow monitoring equipment was installed near the 4850L Ross Campus.
- Other: A support letter was provided for a Great Plains Network NSF proposal related to quantum research and workforce development.

## Quarterly Work Plan Variances

- The Quarter (February - April) ended with a Cooperative Agreement contract-to-date underrun of \$1.7M.
- February had an overrun of \$119K. This was primarily due to the arrival of \$152K in assets previously budgeted.
- March had an underrun of \$119K. This was primarily due to non-labor assets budgeted but not purchased.
- April had an overrun of \$32K. Labor had an underrun of \$170K due to a two-day holiday and non-labor had an overrun of \$202K due to the arrival of assets previously budgeted.

Note: Currently unpurchased Cooperative Agreement assets are at \$907K for the year.

## Financial Status

Included in the Financial Report are the following:

- Cooperative Agreement SURF Services FY2025 (federal fiscal year) SPA Curve as of April 2025 (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 2025
  - 2) Comprehensive Statement of Income as of April 2025
  - 3) Comparative Balance Sheet – April 2025 vs. April 2024
  - 4) Comparative Statement of Income – April 2025 vs. April 2024
  - 5) Available Resources as of April 2025
  - 6) Operating Budget Summary

## **Cooperative Agreement (CA) SURF Services FY2025 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 2025 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 \$2,758,722 which is higher than the anticipated reimbursements of \$2,725,855 by \$32,867. Cumulative expenses are at \$138,995,500 which is lower than the budgeted \$140,716,762 by \$1,721,262.

## **Balance Sheet Items**

- Cash in Local Checking—Total on hand April 2025 was \$2,073,988, up from last month by \$415,140. Funds on hand were necessary to pay operating expenses including employee salaries, medical/life/vision insurance, and other items.



- Cash with State Treasurer—Total balance of \$11,022,837. This amount decreased from last month by \$22,946 with the use of the cash provided by SB35 for the 4850L underground expansion Phase A and for cash provided for xenon loan interest payments to the three foundations.
- Billed Accounts Receivable (A/R)—Billed A/R represents any open invoices based on contracts from sources such as the DOE Office of Science, LBNL, Fermilab, other smaller contracts from other universities/private entities, and Barrick-Homestake Mining Company. Total is at \$1,026,857, up from last month by \$195,604. This balance also includes a true-up of our FY2021, FY2022, and FY2023 indirect and employee benefit costs from the rate used and billed compared to the final approved rate. Included in the balance are open invoices for: \$350,619 from Fermilab primarily from the contract for Ross Shaft Logistics Support, \$640,229 from the DOE for the Cooperative Agreement and the LZ project, \$17,054 from LBNL for the LZ project, \$3,525 from SDSM&T for the MJD and CASPAR projects, \$4,353 from Pacific Northwest National Laboratory for the DEMO-FTES project, \$7,303 from Barrick-Homestake Mining Company for electricity usage and water treated, and \$3,774 from BHSU for Education and Outreach grants.
- Unbilled A/R—Current balance is \$1,244,145. The unbilled A/R represents items that have not been billed on various contracts, primarily for payroll expenses at the end of April paid in May. April's balance decreased \$214,068 from March.
- Other A/R—Current balance of \$483,853. This balance represents Interest Receivable and Miscellaneous Accounts Receivable and increased by \$18,371. Activity for this month includes recording the interest accrual for April.
- Inventory/Supplies—Balance at \$1,951,623 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 \$398,250. 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 remained unchanged from last 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—\$1,078,097 and prepaid other – \$534,111. Total balance of \$1,612,209 decreased from last month by \$131,170. This decrease is primarily due to liability insurance being expensed in April.
- Fixed Assets—Current balance is \$144,141,278. Fixed assets activity since last month included recording a Maestro Flex Mine Regulator, and two Bobcat MT100 track loaders. The net decrease of \$288,206 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)—SDSTA deemed there would be costs associated with closing SURF, if abandoning the site would occur. Outside regulatory agencies 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 ARO 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 is depreciated over an estimated useful life of 30 years.
- Pension Deferred Outflows—This designation on our 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 \$5,311,869 created by the FY2024 financial entries.
- 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.
- Total Assets—Total of \$179,009,071. This balance has decreased from last month by \$27,275 which represents the net activity as listed above.

- Accounts Payable—Our total Accounts Payable balance of \$1,680,227 at the end of the month, compared to last month has increased by \$540,015.
- Accrued Payroll Liabilities—Current balance of \$2,794,085 has decreased by \$27,996 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 is currently \$3,121,190 after a principal payment was made this past year with 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 \$3,045,437 represents SDSTA's 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 SURF, if abandoning the site would ever occur. The ARO balance is \$1,590,404 and is adjusted annually.
- Total Liabilities—Total Liabilities increased by \$512,019 (from \$11,719,324 to \$12,231,343), which reflects the net activity listed above.
- Total Equity—decreased to \$166,777,727 from the previous month's \$167,317,021.
- Total Liabilities & Equity—decreased to \$179,009,071 from the previous month of \$179,036,346.

### 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 small contracts for the MAJORANA project with the SDSM&T and E&O grants with BHSU. Total revenue through April is \$75,561,959.
- Interest income recorded for the current fiscal year on State Funds is at \$196,479. This represents interest accruing at 2.00% 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 \$27,729,613 for the current fiscal year. Indirect Costs, including fringe benefits, are at \$17,398,100. Costs are lower than revenue by \$30,634,297.
- Other Income is at \$348,444, which primarily represents miscellaneous income received from scrap metal receipts and amounts from Barrick.
- Other Expenses is at \$36,316,354 for the current year and is primarily from the reclass increase net assets donated to the SDSTA from FFDG.
- Net Income through April is at a loss of \$5,333,612, primarily from expenses related to the 4850L underground expansion Phase A project. This project will be capitalized in FY2025.

### Comparative Balance Sheet

- Total in Local Checking is lower by \$219,281 from this time last year.
- Total Cash with State Treasurer is lower by \$10,754,260 from this time last year as funds received from the State in SB35 are being spent on the 4850L underground expansion Phase A project. SDSTA also used some operating funds for normal operating costs, and funds were used from the Experiment fund for the xenon interest on the notes payable.
- Total Current Assets are lower than last year by \$13,088,128, primarily from the cash received from SB35 being spent on the 4850L underground expansion Phase A project and from putting assets into operation or surplus from the Inventory of Supply.
- Total Fixed Assets are higher by \$48,283,969 when comparing the two-time frames. The biggest change was in fixed assets purchased on the Cooperative Agreement federal funds and donated by FFDG also from federal funds – an increase of \$45,792,351; primarily from assets purchased by FFDG with DOE funds and donated to the SDSTA, finalizing the Oro Hondo Ventilation System, Yates Hoist Room roof replacement, and various other assets purchased. Work in Progress accounted for the second largest change, an increase of \$5,508,867; primarily from the 4850L underground expansion Phase A, the RBC replacement construction project, and the 3650L pump room rehab project. Accumulated depreciation is also part of this balance – an increase of \$2,720,486.

- Asset Retirement Obligation Deferred Outflows is being reported for \$1,129,638. SDSTA is also including an accumulated depreciation amount for this item, currently at \$75,309.
- Pension Deferred Outflows is being reported at \$5,311,869 based on the fiscal year 2024 entries.
- Xenon purchased stayed the same as last year at \$8,687,833.
- In summary, Total Assets have increased by \$34,646,950.
- Total Current Liabilities are lower by \$1,157,043 when comparing the two time frames. This is primarily due to Accounts Payable balance being lower. The Other Payables balance is higher due to borrowing funds to pay liability insurance costs and from Accrued Payroll Liabilities being higher for leave balances.
- Other Liabilities—LT Xenon Notes Payable - \$3,121,190 remained the same; Pension Deferred Inflows - \$3,045,437 decreased by \$402,479; and Asset Retirement Obligation - \$1,590,404 increased by \$393,519.
- Total Restricted Funds are lower by \$10,495,689, primarily due to the spending the Restricted SB35 Appropriation for the 4850L underground expansion Phase A project.
- Investment in General Fixed Assets has increased by \$48,283,969 for the various additions of fixed assets primarily donated by FFDG, projects purchased on federal funds, the 4850L underground expansion Phase A in work in progress, and depreciation being reported.
- Unrestricted Funds are lower by \$1,975,327 when comparing the two time frames.
- Total Equity has increased by \$35,812,953 from this time last year.
- In summary, Total Liabilities & Equity have increased by \$34,646,950.

### **Comparative Profit/Loss**

- Total Revenue for year-to-date April 2025 compared to year-to-date April 2024 has increased by \$42,768,655. This increase is primarily from the assets donated by FFDG and the increase in activity on DOE subcontracts. Direct Costs and Indirect Costs for year-to-date April 2025 compared to this time last year shows a combined increase of \$4,121,631. Net Income/Loss for the comparative time periods shows an increase in the loss of \$921,271.

### **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, \$1,601,705 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 \$560,587. This is primarily Ross Logistics/BSI Support, and General Site Services, as well as expenses for indirect services, all lower than budgeted.
- Year-to-date figures are under budget by \$4,907,674

### **Human Resources Status**

#### **Work Accomplishments:**

- The 2025-2026 Benefits Open Enrollment period was completed.
- The Compensation Philosophy Review Team was established.
- The new Operations and Emergency Response Dispatcher job description was developed; successfully recruited and hired three of four positions.
- Successfully hired four new Custodial staff members.
- Training was provided and collaboration facilitated with the Accounting and Finance department on the Human Resource Information System (HRIS), Paylocity.
- Facilitated the transition of internal employee movements:
  - Wendy Straub as Chief Operating Officer.
  - Mandy Knight as Chief of Staff.
  - Rebecca Wilcox as Senior Administrative Assistant.



- Amelia Pearson as Environmental, Safety & Health Training Specialist.
- Sarah Wortman as Building & Grounds Foreman.
- Jayme Hunt as Interim Human Resources Manager.
- Jacob Davis as Interim Director of Hoists and Shafts.
- Will Hover as Emergency Response Team Field Technician.

**Data:**

- **Headcount:** 212
  - Regular Full-Time: 194
  - Regular Part-Time: 6
  - Non-Benefit Part-Time: 5
  - Temporary: 7
- **Hires:** 20
  - 3 Infrastructure Technicians
  - 1 Environmental Safety & Health Support Associate
  - 1 Mobile Equipment Mechanic
  - 1 Laboratory Facility Technician
  - 1 Custodian Lead
  - 3 Custodians
  - 3 Operations and Emergency Response Dispatchers
  - 2 SLHVC Guest Support Associates
  - 1 SLHVC Guest Support Associate/Chauffeur
  - 4 Summer Interns
- **Terms:** 3
  - 3 Retirement
  - 0 Voluntary
  - 0 Involuntary
- **Turnover:** 1.5%
- **Annual Tenure:** 7.2 years
- **Position Changes:** 8
  - 4 Promotions
  - 1 Lateral Change
  - 2 Title Changes (due to reorganization)
- **Pay Type:**
  - Salary: 29.2% (62)
  - Hourly: 70.8% (150)
- **Gender:**
  - Male: 72.6% (154)
  - Female: 27.4% (58)



**SANFORD  
UNDERGROUND  
RESEARCH  
FACILITY**

**SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY**

## **Professional Staff Services – Subcontract No. 607915**

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

- Cold Box Cryogenic System Cost Estimate: Working with the LBNF/DUNE Cryogenics Team, a cost estimate was developed for the Far Detectors and Cryogenics (FDC) Budget Review.
- Cryostat Beam Movement Planning: Planning for the movement of the cryostat beams is progressing well in coordination with the FDC I&I group. Information regarding early efforts to develop rigging equipment has been passed on for review and potential integration in the conceptual build plans.
- Long beam and argon pipe movement into skip cage were modeled to determine rigging and headframe modifications.
- Specifications were developed for a Standby Generator for the Ross Hoistroom. The generator will allow emergency operations of the Ross Hoist brakes in the event of a power outage. FFDG will purchase the generator.



**SANFORD  
UNDERGROUND  
RESEARCH  
FACILITY**

**SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY**

## **LZ Operations Phase I – Subcontract No. 7525117**

## **Other Experiment Support**

### **LUX-ZEPLIN (LZ)**

- The LZ budget analysis was completed, and the need for a supplemental funding request was identified. The request has now been submitted to DOE for review.
- Cryocooler yearly maintenance was completed, and issues from the integration with the Nitrogen Generator have been resolved. Systems are running well, and no issues are anticipated moving forward.
- Internal Radon Reduction System improvements: Various changes have been made to this system, including water/ice removed from heat transfer fluid. Improvements resulted in a 40% reduction in duty cycle.
- A water supply update to the LZ water purification system degassing pump to save 720 gallons a day of water use was approved and parts ordered. Installation begins in June 2025.



## **Indirect Funded Activities Status**

## **Contracts Status**

### **Department of Energy (DOE) subcontracts to SDSTA**

US Department of Energy, Office of Science

- SDSTA received Modification No. 44 on the Cooperative Agreement for Incremental Funding.

Fermi Research Alliance

- SDSTA received a new Contract, No. 724345 LBNF-DUNE US Bull Gang BSI Services.
- SDSTA received a Supplemental Agreement (SA) No. 2 on Contract No. 7131790 LBNF-DUNE Logistics Support Services for Incremental Funding.

Lawrence Berkeley National Lab

- None

Pacific Northwest National Lab

- None

**Table 1 Summary of Contracts Awarded by SDSTA in March–May 2025**

<b>Contract No.</b>	<b>Contractor/Vendor</b>	<b>Type</b>	<b>Project</b>
2024-21	West Plains Engineering	TSK#13	UG Extensometer Reading
2023-40	HOA Solutions	CO#4	No Cost Time Extension 5-1-2025
2023-21	Western States Fire Protection	CO#1	Add Second Year Funds
2024-21	West Plains Engineering	CO#1	Updated Rates 2025
2020-05	West Plains Engineering	CO#2	Updated Rates 2025
2019-39	North Central Supply	CO#15	Controlled Access Keys (SKC) Rad Storage
2021-20	Siemag	CO#1	Ross Hoist Clutch - NDT
2022-33	RCS Construction	TSK#13	Concrete at 4850L Expansion Drift
2019-28	Jacobs Precision Welding	CO#46	Ross Shaft Thrust Block
2024-11	Orenco	CO#1	Adjusted contract amount
2023-40	HOA-Dewatering	CO#5	No Cost Time Extension 6-1-2025
2023-09	Harrison Western	CO#5	Add Scope & Extend 4/16/25
2025-05	Amick Sound	New	Annual Fire Alarm Inspections
2024-18	B&T Manufacturing	CO#1	Add'l Restroom & Accessories
2021-23	ATEN	CO#8	Add Funds -Extend 9-30-2025
2023-14	RCS	CO#3	No Cost Time Extension 9-1-2025
2025-06	Stone Land Services LLC	NEW	Mineral Research & Filing
2023-35	Lemonly	CO#1	Add Scope, Extend, Add Funds (8-31-2026)
2024-31	Hydro Resources	CO#1	Replace Hoist Rope
2025-07	TBD	RFP	4850L Restroom Pipe Network
2022-34	Pro-Steam Carpet & Upholstery	CO#2	Add funds
2023-21	Western States Fire Protection	CO#2	Add Funds
2022-41	Albertson Engineering	TSK#8.1	Ross Headframe Design
2022-41	Albertson Engineering	TSK#10	Ross & Yates Shaft Conveyance Structural / Corrosion Inspection & Reporting

**Purchase Orders (POs):** 592 POs were issued March 1 – May 31, totaling **\$1,955,818.95**.

**Warehouse Inventory:** Warehouse inventory as of May 31, 2025, totaled **\$284,404.93**.

## **Community Relations Status**

- Community Relations will be providing tours of Čhaŋglěška Wakħąŋ three days per week during the summer months. On Tuesdays and Thursdays, tours will be added to the 10:00 a.m. hoistroom tours, and standalone tours will be offered on Wednesdays at 11:00 a.m.
- Community Relations is working with the Phoebe Apperson Hearst Library to host two storytimes at Čhaŋglěška Wakħąŋ on July 16 and August 13. Each story will be connected to a STEM activity.
- Community Relations continued to plan a clean-up event at SURF. Čhaŋglěška Wakħąŋ, the SLHVC garden beds, and administration parking lot will be tended to on the morning of June 11, in preparation for Neutrino Day.
- Community Relations staff attended the May 2025 DUNE Collaboration Meeting at Fermilab and presented about Black Hills history—an area of interest for many collaborators. Approximately 65 people attended.
- Community Relations staff met with Fermilab staff in Communications and Public Engagement to discuss areas of collaboration.
- Community Relations worked with the Institute for Underground Science to schedule tours of at Čhaŋglěška Wakħąŋ during Center for Theoretical Underground Physics and Related Areas (CETUP\*) workshop hosted by SURF each June in Lead/Deadwood.
- Planning for Deep Roots continues. The first iteration of Deep Roots will feature Tawney Brunsch from Lakota Funds on the Pine Ridge Indian Reservation.
- The first Community Relations intern began at SURF on May 27. The intern will assist in tours of the Garden, development of informal indoor and outdoor educational activities, and maintenance of the Garden.
- Community Relations and the Institute presented at the DUNE Integration and Installation (I&I) meeting about SURF outreach and events as well as area tourism options for DUNE collaborators and contractors.
- Community Relations worked with Environmental staff to develop training on recycling efforts at SURF concerning the Respect the Land Standard.
- The Sanford Lab Homestake Visitor Center (SLHVC) flower beds will be updated and replanted this spring. Plants were purchased from South Dakota State University's Native Plant Initiative. All the plants are native to South Dakota and will add to learning opportunities at the SLHVC.
- Community Relations and SLHVC staff continue to work on the development of a science graphic novel academy to provide students with an art-based opportunity to interact with science phenomena.
- Community Relations staff presented at Deadwood History's Preservation Thursday about the unique history and geography of SURF.
- Community Relations is working to host a small student group who will learn about Lakota Star Knowledge during a summer program in the Black Hills.
- Community Relations worked alongside Human Resources and Underground Operations to outfit the underground nursing space.
- Planning for Neutrino Day continues, with cultural performances, games, and information about native plants slated for Čhaŋglěška Wakħąŋ.
- Community Relations worked to coordinate a tour of SURF for partners at the Crazy Horse Memorial on May 14.
- On April 22, Community Relations hosted a small group of high school juniors from the Little Red School House in New York City, NY. The group was involved in a place-based learning experience focused on issues about Native American populations in the Great Plains region.

## **Education and Outreach (E&O) Status**

### **K-12 Education and Outreach**

#### Professional Development (PD)

- In March through May 2025, the E&O team facilitated a total of 138 people hours of professional development for educators. In addition, many hours of design and planning time were spent during this quarter preparing for a full slate of professional development workshops that will be facilitated during Summer 2025. Professional development highlights are listed below.
- In March 2025, the E&O team presented to K-12 educators and university faculty at the Eastern SD Perkins Grant Consortium conference in Sioux Falls about connections between the STEM work at SURF and the Career & Technical Education (CTE) programs in SD.



- In March 2025, a follow-up virtual session was co-facilitated with the Center for the Advancement of Math & Science Education (CAMSE) staff at Black Hills State University (BHSU) to support teachers from the February Computational Thinking (CT) workshop as they implement CT strategies in their science and math lessons.
- The E&O team hosted an informational booth at the National Conference on Science Education in Philadelphia in March 2025. Team members also facilitated a session highlighting the science of SURF and connections that can be made to K-12 classrooms.

#### Curriculum Resources

- In March through May 2025, 10 curriculum units were utilized and returned by school districts across South Dakota, impacting the science learning of 721 students for approximately 4,866 student contact hours.
- A member of the Workforce Pathways and Partnerships Office at Fermilab has reached out and will be using the SURF Argon Challenge with high school students in their summer school and internship program to engage students and make connections between the work of Fermilab, SURF, and DUNE.

#### Classroom Presentations

- In March through May 2025, presentations were made in 21 K-12 schools in South Dakota, Maryland, and Georgia, inspiring 4,049 students for 3,874 student contact hours.

#### Field Trips

- In March through May 2025, 16 field trips served 893 students from SD, ND, and NY for 3,288 student contact hours.

#### Undergraduate

- In March through May 2025, E&O team members worked with 74 undergraduate students from four different institutions (three in South Dakota and one in New Jersey) for 168 contact hours.

#### Other

- In March through May 2025, E&O staff members, along with support from the SURF Science and Communications teams, hosted activity booths at the Little Shop of Physics Science Festival at Colorado State University, STEM nights at Newell Elementary School and Central High School, and for the SD Mines student recruitment event, interacting with a total of approximately 395 students.
- E&O team members presented sessions for middle school girls at the Women in Science events at both SD Mines and BHSU in March and May, interacting with a total of approximately 168 students.
- In collaboration with the BHSU Cultivating Indigenous Research Communities for Leadership in Education (CIRCLES) Alliance grant, E&O team members attended training facilitated by the Rosebud Assistant Tribal Education Director and educational leaders from schools on the Rosebud Reservation to build relationships, plan future collaborative professional development, and understand the Sicangu Indigenous Principles of Learning.
- E&O team members met with science and outreach staff from Sudbury Neutrino Observatory (SNOLAB), Perimeter Institute, University of Zurich, University of Bern, CERN, the LBNF DUNE Collaboration, Australian Research Council (ARC) Centres of Excellence for Dark Matter and Gravitational Waves, the SD Army National Guard, and Apple to build relationships, share best practices, and ideate about future collaborative work and projects. In addition to expanding the national and international reach of SURF, these meetings have already resulted in shared materials and best practices that will be implemented in the upcoming school year as well as committed funding for a 2026 Teacher Fellow and ideas for future projects over a three-to-five-year timeframe.
- 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	2023-2024	2024-2025*
<b>Curriculum Units</b>	934	3504	2286	3598	3236	3384	3718	2554	3965	4171
<b>Presentations</b>	8734	8157	6304	6704	3704	2005	14038	12799	10281	14712
<b>Field trips</b>	595	660	796	1117	254	58	485	972	966	1437
<b>Other</b>	10	891	825	1055	918	298	1468	1596	1368	1709
<b>Total</b>	10273	13212	10211	12474	8112	5745	19709	17921	16580	22029

\*Numbers include data from July 1 – May 31, 2025

## **Communications Status**

- Brand updates were completed for SURF, including collateral material and signage.
- Planning for Neutrino Day, July 12, 2025, continues to move forward.
- Technical support was provided for the January All Hands meeting, Deep Talks, Deeper Talks, and various other programs and speaking engagements.
- Compelling assets for use at conferences and speaking events were created.
- The installation of a new augmented reality (AR) experience at the SLHVC was completed.
- The Communications team participated with ESH and Fermilab in a robust tabletop exercise.
- The Communications team participated in Lead and Deadwood development meetings, chamber events, and community events.

## **Community Outreach/Media/Site Visits/Presentations**

- February 5 – SURF hosted a legislative reception in Pierre.
- February 7 – A presentation was provided at Turtle Soup in Rapid City.
- February 21 – Communications presented on science communication at SURF to two classes at South Dakota Mines.
- February 25-27 – Members of the Communications team participated in the SD Governor’s Office of Economic Development (GOED) Conference.

## **Upcoming Community Outreach/Media/Site Visits/Presentations**

### **Video, Web, Graphics**

- [Dale Curran Dewatering Exhibit Video](#)
- [Yates’s Top Down Maintenance](#)
- [Neutrino Day 2025 Promo Video](#)
- [Teacher Feature: Courtney Justice](#)
- [SURF AiR 2025: Chris Combs](#)
- [Matt Kapust Employee Feature](#)
- [Julie Ewing Employee Feature](#)
- [Will Hover Employee Feature](#)
- [Dale Curran Employee Feature](#)
- [Brooke Anderson Employee Feature](#)
- [ESH Mandatory Access Policies Video](#)
- [AR at the SLHVC Video](#)
- [Deeper Talks February](#)
- [Deeper Talks January](#)
- [Medicine Wheel Meaning: Marty Two Bulls, Jr.](#)
- [Medicine Wheel Meaning: Amy Sazue](#)
- [Institute One Year Anniversary Video](#)
- [2025 SURF Economic Impact Video](#)
- [SURF Expansion Walk Through Video](#)
- [Deeper Talks December](#)

### **News Coverage**

- Our media tracking platform, Meltwater, shows SURF received 802 media mentions between December 1, 2024, and February 28, 2025. The platform calculates this media coverage has an advertising value equivalent of \$12.7 million.
- National and international press coverage includes MSN.com, Yahoo News, the Associated Press and Phys.org among the top media outlets covering SURF.
- Major stories covered include DUNE, LUX-ZEPLIN (LZ), MAJORANA DEMONSTRATOR (MJD), and other local news stories.
- Multiple interviews and news stories were completed with local media, including SDPB and Black Hills Pioneer.
- The top social media posts about SURF during this timeframe included an article by [LiveScience on DUNE](#) with a reach of 9.1 million.

## A sampling of the many news articles mentioning SURF since December 1, 2024:

- [Germanium detectors help ORNL physicists unlock the mysteries of the universe](#), Feb. 19, 2025, Oak Ridge National Lab and other outlets
- [New SURF Foundation director brings vision to life](#), Feb. 13, 2025, Black Hills Pioneer
- [Combs named artist in residence at Sanford Underground Research Facility](#), Feb. 19, 2025, Black Hills Pioneer
- [RESEARCH: Student Explores New Method for Breaking Down Plastic Waste](#), Jan. 16, 2025, Chem Analyst News
- [Innovative Research by SD Native Grace Davis Targets Polystyrene Pollution](#), Jan. 15, 2025, KXLG Radio news
- [Deep Underground Neutrino Experiment \(DUNE\): Deciphering the Universe's Mysteries](#), Jan. 3, 2025, Securities.io
- [DUNE explained](#), Dec. 21, 2024, Black Hills Pioneer
- [The Mysterious Science Experiment That Could Answer Why We Exist](#), Dec. 15, 2024, University of Cincinnati / SciTechDaily
- [Engineering the flow SDSU models liquid argon inside DUNE](#), Dec. 7, 2024, Black Hills Pioneer

## Information Technology Status

### Projects

- IT members attended in-person and virtual meetings with Cybersecurity & Infrastructure Security Agency (CISA), Department of Homeland Security (DHS), FBI, InfraGard and Cybersecurity Council of South Dakota.
- Servers were upgraded from Windows Server 2016 to Windows Server 2022.
- IT asset inventory maps of the underground were created.
- Outdated SQL logins were reviewed and removed to improve system security and streamline access management.
- The IT team assisted with the replacement of laptops and restored servers affected by security incident.
- The IT team assisted the Occupational Health Nurse to resolve laptop security issues.
- A major update was performed to IT's end user training, providing updated information and new content for recently deployed systems.
- Updates were made to IT's onboarding process to improve user experience and security.
- Improvements were made to IT's role in Emergency Operations Center drills.
- Deployment of Forti-EMS and FortiClient VPN was completed and Ivanti VPN decommissioned.
- Successfully onboarded nNew IE-3000 switches and migrated IE-4000 switches from Minetech to PLC and SURF configurations, enhancing network performance.
- The PLC network was deployed to the underground.
- Configuration was created to migrate CAT from old firewalls to new firewalls (still awaiting final CAT approval).
- Various surface and underground switches were deployed.
- The IT operations manager Sean Crooks IT/OT security training for securing industrial control systems.
- A third-party internal security assessment was conducted, and recommendations are being implemented.
- The IT team facilitated the server room UPS fan and capacitor replacement.
- IT continued to work with Johnson Controls to integrate the new form with C-Cure, SURF's access control system.
- PDU (power distribution unit) webpages were configured to allow accessibility and improve functionality.

### Upcoming projects

- Replace the remaining back-haul cabinet switches and deploy new cabinet switches.
- Deploy switches for PLC/Dewatering project both underground and surface.
- Perform penetration testing of external SDSTA network to determine external risk from threat actors.
- Deploy SARF 2.0 integration with the C-Cure system and the SDSTA team.

## March – May 2025 Events

- The Visitor Registration Monthly Reports were submitted electronically to the SD Fusion Center/Homeland Security utilizing the SURF database reporting tool. The Monthly Foreign National Visits Reports and Restricted Party Screening Audits were generated and distributed. The Administrative Services team registered 532 visitors from March 1 through May 31. Access badge requests were processed and monthly badging reports distributed.



**Number of New Visitors, Users and Contractors On-Site**

## Administrative Services Activities

- Senior Multimedia Designer Matt Kapust finalized the JotForm-based SARF 2.0 and deployed it to a small test group at the end of March. Full deployment to the SDSTA team is anticipated in early August, as IT Senior Systems Administrator James Mitchell continues coordinating with Johnson Controls to integrate the form with the C-Cure access control system.
- Onsite events and meetings increased steadily through spring, reflecting a return to more in-person engagement and facility usage. The Administrative Services team provided support for the following:
  - Mar 3 – SD Office of Risk Management Compliance site visit
  - Mar 18 – First Aid/CPR Certification Class
  - Mar 20 – SDSTA Board of Directors meeting
  - Mar 21-28 – Fermilab Integration & Installation Workshop
  - Apr 1 – SD Mines Physics site visit
  - Apr 2, 10, 22, 23, 24, 25, 28, 29 – School field trips
  - Apr 2 – CAT site visit
  - Apr 3 & 11 – Hazwoper Class
  - Apr 3 – EOS quarterly Summit
  - Apr 4 – Quarknet; SD Mines site visit
  - Apr 9 – SURF All Hands Meeting
  - Apr 10 – Deep Talks: An Update on America's Underground Lab, Mike Headley, SLHVC 5p.m.-7p.m.
  - Apr 26 – SD Society for Technology in Education Pre-Conference Workshop
  - Apr 29 – SDSU UG Visit, Chad Dunbar (Cheryl waivers/training cert)
  - May 1, 7, 8, 13, 16, 19 – School field trips, E&O Conf. room, all day
  - May 8 – SD Office of Risk Management and State Farm Mutual site visit
  - May 12-13 – Science Journalist site visit, Mike Ray, (UG on 13th)
  - May 14 – Crazy Horse Foundation site visit
  - May 22 – SDSTA Board of Directors Special Telephonic meeting
  - May 23 – SD Legislative site visit
- In addition, the SDSTA team is actively preparing for upcoming events and site visits including the Entrepreneurial Operating System (EOS) 2-day annual summit facilitated by consultant Mike Roth on July 15-16 held at BHSU and SURF All Hands Meeting on July 23. Other Support—Logistics planning continues with The Institute Program Manager Stacie Granum and Science team for the CETUP\* 2025 workshop June 9-July 11 in Deadwood with 67 participants registered, and the PPC June 23-28 with 57 participants registered. Additionally, the Neutrino Day planning committee has begun meeting weekly to finalize preparations for the annual science festival on July 12. Also, planning began in coordination with Director Annie Averitt for the annual SURF Foundation board meeting on July 11.
- SDSTA Board of Directors support—The quarterly meeting was held at SURF on March 20, during which several policy updates were approved. The SDSTA Policy and Procedures Manual was revised (Revision 8) and distributed to the SDSTA team. Supporting materials and meeting minutes were posted to the Boards & Commissions portal. Preparations are underway for the annual board meeting on June 26. Trademark correspondence was received for SURF and the Institute logos. Certification of Registrations are expected within three months.



**SANFORD  
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**SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY**

## **SANFORD LAB HOMESTAKE VISITOR CENTER**

## **Sanford Lab Homestake Visitor Center (SLHVC) Status**

- The SLHVC continues to provide needed space for SURF and community groups, as evidenced by recent reservations, including:
  - Monthly KAJV All Hands meetings
  - Monthly Lead Area Chamber of Commerce meetings
  - Monthly Northern Hills Prospectors meetings
  - Fermilab Mission Support Workshops and pre-bid meetings
  - LBNF/DUNE community update
  - Dakota Gold board reception
  - South Dakota Society for Technology in Education and South Dakota Engineering Society conference events and receptions
- The 2025 Deep Talks season concluded with record-breaking attendance and a wide variety of topics discussed.
  - In March, Dr. Stephen Sekula, Research Group Manager at SNOLAB, discussed astronomy deep underground.
  - In April, the annual SURF update brought record attendance as participants learned more about the Yates Shaft refurbishment.
  - In May, Fermilab highlighted the unique engineering challenges of the LBNF/DUNE project to a large audience.
- On March 14, the SLHVC hosted its 2<sup>nd</sup> Annual Pi Day event. Booths with a variety of pi-themed activities were placed throughout the exhibit hall for guests to enjoy. Over 60 visitors attended the event, including several homeschool groups.
- Throughout March, April, and May, the SLHVC worked with the E&O team to welcome field trips to SURF. The SLHVC team helped lead docent tours and hoistroom tours, provided presentations, and assisted with SLHVC activities.
- In May, the book *The Price of Gold* was released. This collection of oral histories and photographs by Erin Woodward and Nick Hubbard explores the history of the Homestake Mine and the transition to SURF. A book release and author signing event was held at SLHVC, with over 100 people in attendance.
- The science team continues to support monthly Ask a Scientist events at the SLHVC. With increased visits in the summer, a second Ask a Scientist time has been added each month, which started in May.
- In May, the Institute transitioned back to hosting hybrid Deeper Talks events, with presentations in the SLHVC for the summer season.
- Summer bus tours have begun, providing unique opportunities to share the SURF story with regional, national, and international audiences.
- Preparation continues for the 17<sup>th</sup> annual Neutrino Day event, to be held on July 12, 2025. Registrations for activity booths are still being submitted, and a variety of performances and presentations have been scheduled for the Homestake Opera House, the SLHVC, and Čhaŋglěška Wakǵáŋ.
- In collaboration with Communications and Community Relations, new exhibits are under development, focusing on, and further expanding, the cage experience, along with an interactive Čhaŋglěška Wakǵáŋ exhibit.
- The SLHVC is working with the Lead Chamber and other Main Street businesses for a new Main Street initiative on the 2<sup>nd</sup> Saturday of each month. The SLHVC will host special educational activities on those days.
- Seasonal Guest Services Associates have been hired and onboarded.
- Seasonal hoistroom and Garden tours have started. Guests can take a tour of historic Lead and the Yates hoistroom or visit Čhaŋglěška Wakǵáŋ.
- The SLHVC has transitioned to a new Point of Sale system, improving the customer experience and staff merchandising tools.



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## **SURF FOUNDATION**

### **501(c)(3)**



## **SURF Foundation Status**

### **Work Accomplishments**

- Strategic Engagement
  - Visits to Prospective Donors – Various visits were made with prospective individual donors in San Diego, the Bay area, and South Dakota in support of SURF programming and The Institute.
  - SURFF Board & Governance Integration – Bylaws were drafted for the Governance Committee and development of processes initiated for board member nomination, recommendation, and evaluation.
  - Foundation Planning & L10 Launch – The L10 framework was introduced for internal team coordination and future goal tracking. A new cadence was initiated for planning and progress evaluation.
- Grants and Fundraising
  - Neutrino Day Cash Goal Achieved – SURFF successfully raised over \$33,000 in cash sponsorships, hitting and exceeding the \$30,000 goal. Ongoing follow-ups were managed with partners like BHE, Coeur, and Monument Health.
  - Multiple Grant Submissions – SURFF submitted and/or supported applications for the Lead-Deadwood Community Foundation and SD Humanities Council (Garden and Deep Roots programs).
  - Mid-Year Appeal Drafted – A new appeal strategy was developed for mid-year donor outreach, including donor segmentation, cultivation tracking, and Mailchimp integration.
- Corporate and External Partnerships
  - Technology Leaders Collaboration – Individual visits and a formal group presentation were provided to potential corporate collaborators.
  - Deep Talks Sponsor Engagement – In-person relationship-building with sponsors continued and plans for expanding sponsor outreach were initiated in June.
  - WWTP Tour + Community Events – Donor-focused tours and booths were organized (e.g., WWTP with Rotary, Riverfest) to connect community engagement with donor cultivation.
- Outreach and Public Affairs Activities
  - Quarterly Donor Communication – The first donor newsletter and communication plan were produced.
  - Speaking Engagements and Presentations – Keynotes and presentations were delivered at BHSU Beta Gamma Sigma, SD CEO Conference, and Road Scholars, boosting public visibility for SURF and donor engagement.





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## **The Institute for Underground Science at SURF**

## **The Institute Status**

### **Outreach and Programming**

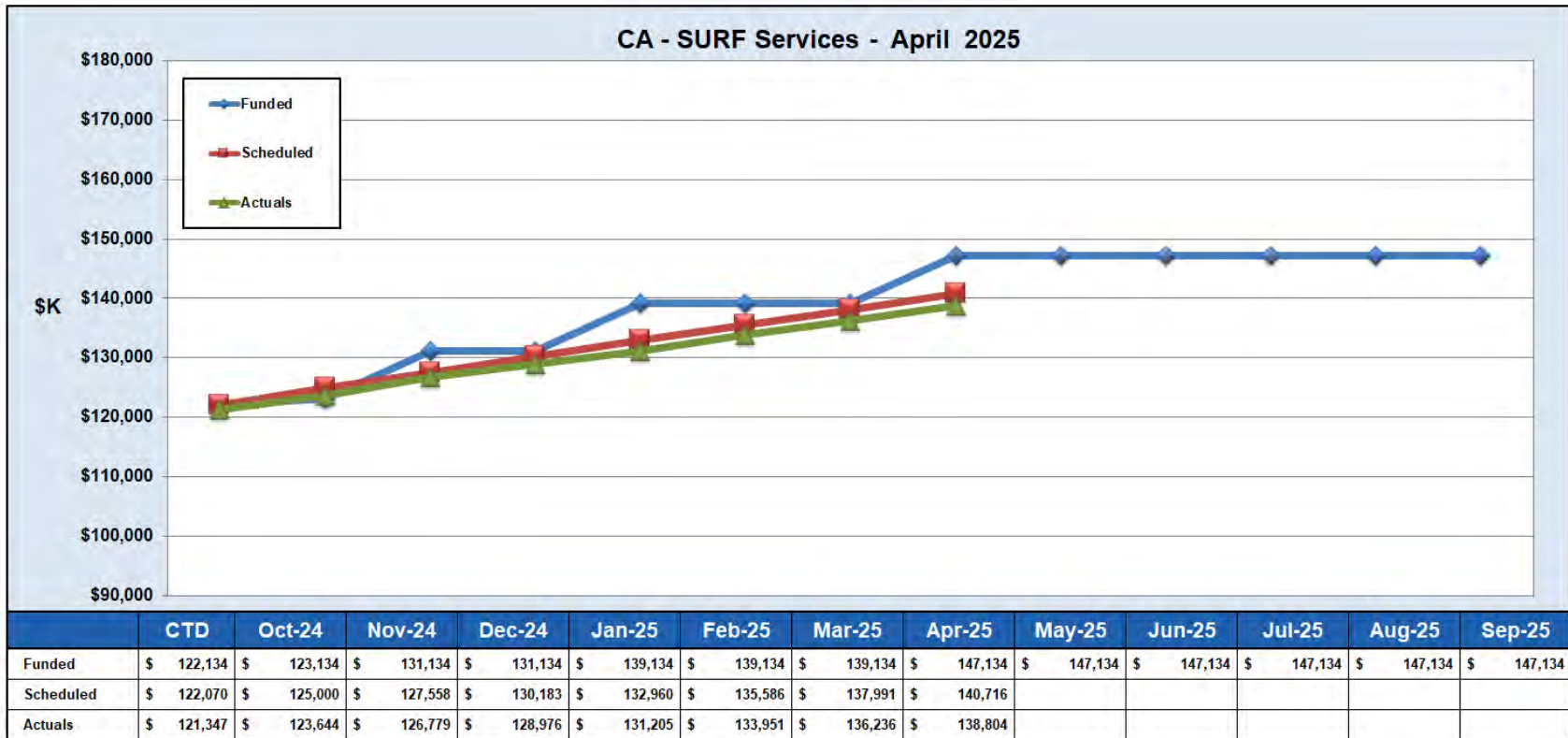
#### **Work Accomplishments**

- Deeper Talks: SURF Seminar Series
  - The monthly talk series featured Dr. Ian Guinn (Oakridge National Lab), Dr. Derek Elsworth (Penn State), and SDSTA Underground Operations Director Bryce Pietzyk and Operations Engineer Jason Connot. Their presentations covered topics in physics, mineral engineering, geoscience, and underground operations engineering.
  - The series launched in May 2024 and has seen modest growth. The May 2025 talk drew 25% more attendees than last year's inaugural event with Dr. Maggie Osburn. This quarter, participation has increased each month, with a growing global audience.
- Davis-Bahcall Scholars Program
  - Applications increased 16% year-over-year. Interest in the program appeared higher this year, likely due to growing statewide awareness and STEM advocacy. The four-week itinerary was finalized, along with preparations for the June 15 welcome meeting. The four-week program runs from June 15 to July 13.
  - Two of the students are 2025 graduates from Stevens High School, one is from Theodore F Riggs High School, three from SD Mines, and one each from Augustana University and BHSU.
- CETUP\* (Center for Theoretical Underground Physics \*and Related Areas) Workshop
  - CETUP\* will be held June 9 to 20 and June 30 to July 12, in Deadwood, SD.
  - There are 67 registered scientists representing 18 countries, 57 post-secondary institutions and universities, and 5 major laboratories.
  - The workshop expanded the student component to two days, introduced weekly pub talks and trivia at a local brewery, and added guest speakers on topics like science communication and teaching science to undergraduates. Participants will also hear from a Native American featured speaker in Deep Roots and visit the ethnobotanical garden for discussion.
- Quantum Partnership Workshop
  - Outreach and planning continue for the 2025 workshop, scheduled for July 21 to 23, with an expanded three-day agenda and more regional focus for participation. Currently, there are nine registrations.
  - The Quantum Initiative Discussion Group continues to meet virtually on a bi-monthly basis with many of the partners collaborating on a grant to expand the quantum network in the Midwest.
- International Conference on the Interconnection between Particle Physics and Cosmology (PPC)
  - There are 57 scientists registered. Lower-than-anticipated registration appears to be due to budget cuts and travel restrictions.
  - The conference takes place from June 23 to 28, between the CETUP\* workshop sessions.
- 5-Year Program Plan
  - A draft is being finalized for the 5-Year Institute programming plan, focusing on scalable programming with regional, national, and international reach to grow the intellectual community and inspire innovation.



## **APPENDIX**

**Business Services Department  
Appendix A**



**DOE SDSTA Fiscal Year 2025 SPA Curve**

## FINANCIAL SUMMARIES APPENDIX B

REPORT DATE 5/15/2025

SOUTH DAKOTA SCIENCE &amp; TECHNOLOGY

PAGE 0001

DIVISION: ALL

BALANCE SHEET

## ASSETS

AS OF  
04/30/25

## CURRENT ASSETS

First Interstate Checking	\$	2,073,987.53
		-----
Total in Local Checking		2,073,987.53
SD Treas: Indemnification		7,500,000.00
SD Treas: Mine Closure		1,631,104.50
SD Treas: Operating		1,275,910.58
SD Treas: SB35 Appropriation		118,792.19
SD Treas: Experiments		497,029.59
		-----
Total with SD Treasurer		11,022,836.86
Billed A/R		1,026,857.23
Unbilled A/R		1,244,145.25
Other A/R		483,853.47
Inventory - Supplies		1,951,622.96
Inventory - Warehouse		398,250.19
Other Current Assets		1,612,208.61
		-----
Total Current Assets		19,813,762.10

## FIXED ASSETS

Land, Underground & Other		12,793,484.40
Bldgs & Infrastructure		19,215,582.35
Improvements		63,312,036.57
Work in Progress		11,548,590.23
Computer Equipment		394,495.88
Equipment & Fixtures		9,865,301.85
DOE Property Transfer		56,103,548.47
Accum Depr & Amort		(26,977,084.59)
DOE Prop. Accum Deprec.		(2,114,677.53)
		-----
Total Fixed Assets		144,141,277.63

## OTHER ASSETS

Asset Retirement Obligation Deferred Outflows		1,129,637.92
Asset Retirement Obligation Accumulated Depr.		(75,309.20)
Pension Deferred Outflows		5,311,868.62
Xenon Purchased		8,687,833.46
		-----
Total Other Assets		15,054,030.80

## TOTAL ASSETS

=====

\$ 179,009,070.53

=====

DIVISION: ALL

## BALANCE SHEET

## LIABILITIES &amp; EQUITY

		AS OF 04/30/25
		<hr/>
CURRENT LIABILITIES		
Accounts Payable	\$	1,240,527.65
Other Payables		439,699.72
		<hr/>
Total Accounts Payable		1,680,227.37
Accrued Payroll Liab		2,794,084.67
		<hr/>
Total Current Liabilities		4,474,312.04
OTHER LIABILITIES		
LT Xenon Notes Payable		3,121,190.01
Pension Deferred Inflows		3,045,436.77
Asset Retirement Obligation		1,590,404.24
		<hr/>
Total Other Liabilities		7,757,031.02
EQUITY		
Restricted: Indemnification		7,500,000.00
Restricted: SB35 Appropriation		118,792.19
Restricted: Mine Closure		1,631,104.50
Restricted: Pension		2,266,431.85
Restricted: Experiment. Int.		497,029.59
		<hr/>
Total Restricted Funds		12,013,358.13
Investment in Gen FA		144,141,277.63
Unrestricted Funds		10,623,091.71
		<hr/>
Total Equity		166,777,727.47
		<hr/>
TOTAL LIABILITIES & EQUITY	\$	179,009,070.53
		<hr/>

ALL

## STATEMENT OF INCOME

FOR THE PERIOD ENDING 4/30/2025

	YR-TO-DATE
REVENUE	
DOE Subcontracts	\$ 75,561,958.88
Checking Interest	3,572.98
Interest Income	196,478.50
	-----
TOTAL REVENUE	75,762,010.36
DIRECT COSTS	
Direct Labor	8,578,413.24
Board of Directors	17,529.04
Capital Outlay >\$5K	383,052.37
Contractual Svcs	14,510,804.76
Inventory	299,062.33
Supplies	1,447,448.57
Travel - Domestic	175,333.59
Travel - Foreign	16,493.13
Utilities	1,954,675.18
Other Direct Costs	137,349.00
Unallow/Unbill Costs	209,451.48
	-----
TOTAL DIRECT COSTS	27,729,612.69
INDIRECT COSTS	
Fringe Benefits	7,631,848.76
Overhead	9,766,251.59
	-----
TOTAL INDIRECT COSTS	17,398,100.35
	-----
GROSS PROFIT/LOSS ( )FROM OPERATIONS	30,634,297.32
	-----
OTHER INCOME	
Water Treatment	159,674.21
Miscellaneous Income	36,069.00
Other Operating Income	152,701.00
	-----
TOTAL OTHER INCOME	348,444.21
OTHER EXPENSES	
Misc. Expenses & Donations	(2,331,278.22)
Loss (Gain) on Sale of FA	677,360.81
Other Unallowable Expense	861,310.53
Reclass Incr Net Assets	37,108,960.84
	-----
TOTAL OTHER EXPENSES	36,316,353.96
	=====
NET INCOME/LOSS ( )	\$ (5,333,612.43)
	=====

## DIVISION: ALL

## COMPARATIVE BALANCE SHEET

## ASSETS

	AS OF 04/30/25	AS OF 04/30/24	\$ CHANGE	% CHANGE
<hr/>				
CURRENT ASSETS				
First Interstate Checking	\$ 2,073,987.53	\$ 2,293,269.00	\$ (219,281.47)	-9.56%
	-----	-----	-----	-----
Total in Local Checking	2,073,987.53	2,293,269.00	(219,281.47)	-9.56%
SD Treas: Indemnification	7,500,000.00	7,500,000.00	-	0.00%
SD Treas: Mine Closure	1,631,104.50	1,567,504.94	63,599.56	4.06%
SD Treas: Operating	1,275,910.58	1,643,238.62	(367,328.04)	-22.35%
SD Treas: SB35 Appropriation	118,792.19	10,515,475.07	(10,396,682.88)	100.00%
SD Treas: Experiments	497,029.59	550,878.65	(53,849.06)	-9.78%
	-----	-----	-----	-----
Total with SD Treasurer	11,022,836.86	21,777,097.28	(10,754,260.42)	-49.38%
Billed A/R	1,026,857.23	1,677,361.31	(650,504.08)	-38.78%
Unbilled A/R	1,244,145.25	1,038,370.39	205,774.86	19.82%
Other A/R	483,853.47	655,551.79	(171,698.32)	-26.19%
Inventory - Supplies	1,951,622.96	3,300,161.33	(1,348,538.37)	-40.86%
Inventory - Warehouse	398,250.19	494,153.11	(95,902.92)	-19.41%
Other Current Assets	1,612,208.61	1,665,926.38	(53,717.77)	-3.22%
	-----	-----	-----	-----
Total Current Assets	19,813,762.10	32,901,890.59	(13,088,128.49)	-39.78%
 FIXED ASSETS				
Land, Underground & Other	12,793,484.40	12,793,484.40	-	0.00%
Bldgs & Infrastructure	19,215,582.35	19,215,582.35	-	0.00%
Improvements	63,312,036.57	63,312,036.57	-	0.00%
Work In Progress	11,548,590.23	6,039,722.86	5,508,867.37	91.21%
Computer Equipment	394,495.88	366,435.18	28,060.70	7.66%
Equipment & Fixtures	9,865,301.85	10,190,126.39	(324,824.54)	-3.19%
DOE Property Transfer	56,103,548.47	10,311,197.32	45,792,351.15	444.10%
Accum Depr & Amort	(26,977,084.59)	(25,029,617.06)	(1,947,467.53)	7.78%
DOE Prop. Accum Deprec.	(2,114,677.53)	(1,341,659.10)	(773,018.43)	57.62%
	-----	-----	-----	-----
Total Fixed Assets	144,141,277.63	95,857,308.91	48,283,968.72	50.37%
 OTHER ASSETS				
Asset Retirement Obligation Deferred Outflows	1,129,637.92	1,129,637.92	-	0.00%
Asset Retirement Obligation Accumulated Depr.	(75,309.20)	(37,654.60)	(37,654.60)	100.00%
Pension Deferred Outflows	5,311,868.62	5,823,104.49	(511,235.87)	-8.78%
Xenon Purchased	8,687,833.46	8,687,833.46	-	0.00%
	-----	-----	-----	-----
Total Other Assets	15,054,030.80	15,602,921.27	(548,890.47)	-3.52%
 TOTAL ASSETS				
	=====	=====	=====	=====
	\$ 179,009,070.53	\$ 144,362,120.77	\$ 34,646,949.76	24.00%
	=====	=====	=====	=====



DIVISION: ALL

## COMPARATIVE BALANCE SHEET

## LIABILITIES &amp; EQUITY

	AS OF 04/30/25	AS OF 04/30/24	\$ CHANGE	% CHANGE
CURRENT LIABILITIES				
Accounts Payable	\$ 1,240,527.65	\$ 3,169,655.40	(1,929,127.75)	-60.86%
Other Payables	439,699.72	5,064.48	434,635.24	8582.03%
	-----	-----	-----	-----
Total Accounts Payable	1,680,227.37	3,174,719.88	(1,494,492.51)	-47.07%
Accrued Payroll Liab	2,794,084.67	2,456,635.03	337,449.64	13.74%
	-----	-----	-----	-----
Total Current Liabilities	4,474,312.04	5,631,354.91	(1,157,042.87)	-20.55%
OTHER LIABILITIES				
LT Xenon Notes	3,121,190.01	3,121,190.01	-	0.00%
Pension Deferred Inflows	3,045,436.77	3,447,916.22	(402,479.45)	-11.67%
Asset Retirement Obligation	1,590,404.24	1,196,884.99	393,519.25	32.88%
	-----	-----	-----	-----
Total Other Liabilities	7,757,031.02	7,765,991.22	(8,960.20)	-0.12%
	-----	-----	-----	-----
TOTAL LIABILITIES	12,231,343.06	13,397,346.13	(1,166,003.07)	-8.70%
EQUITY				
Restricted: Indemnificati	7,500,000.00	7,500,000.00	-	0.00%
Restricted: SB35 Appropriation	118,792.19	10,515,475.07	(10,396,682.88)	100.00%
Restricted: Mine Closure	1,631,104.50	1,567,504.94	63,599.56	4.06%
Restricted: Pension	2,266,431.85	2,375,188.27	(108,756.42)	-4.58%
Restricted: Experim. Int.	497,029.59	550,878.65	(53,849.06)	-9.78%
	-----	-----	-----	-----
Total Restricted Funds	12,013,358.13	22,509,046.93	(10,495,688.80)	-46.63%
Investment in Gen FA	144,141,277.63	95,857,308.91	48,283,968.72	50.37%
Unrestricted Funds	10,623,091.71	12,598,418.80	(1,975,327.09)	-15.68%
	-----	-----	-----	-----
TOTAL EQUITY	166,777,727.47	130,964,774.64	35,812,952.83	27.35%
	=====	=====	=====	=====
TOTAL LIABILITIES & EQUITY	\$ 179,009,070.53	\$ 144,362,120.77	\$ 34,646,949.76	24.00%
	=====	=====	=====	=====

## COMPARATIVE STATEMENT OF INCOME

FOR THE PERIOD ENDING 04/30/2025

	YEAR TO DATE	PRIOR YEAR TO DATE	\$ CHANGE	% CHANGE
REVENUE				
DOE Subcontracts	\$ 75,561,958.88	\$ 32,793,303.66	\$ 42,768,655.22	130.42%
Checking Interest	3,572.98	6,288.28	(2,715.30)	-43.18%
Interest Income	196,478.50	306,511.45	(110,032.95)	-35.90%
	-----	-----	-----	-----
TOTAL REVENUE	75,762,010.36	33,106,103.39	42,655,906.97	128.85%
DIRECT COSTS				
Direct Labor	8,578,413.24	8,318,911.31	259,501.93	3.12%
Board of Directors	17,529.04	8,418.71	9,110.33	108.22%
Capital Outlay >\$5K	383,052.37	1,492,839.79	(1,109,787.42)	100.00%
Contractual Svcs	14,510,804.76	9,558,365.19	4,952,439.57	51.81%
Inventory	299,062.33	254,304.14	44,758.19	17.60%
Supplies	1,447,448.57	1,839,971.47	(392,522.90)	-21.33%
Travel - Domestic	175,333.59	111,312.12	64,021.47	57.52%
Travel - Foreign	16,493.13	12,773.21	3,719.92	29.12%
Utilities	1,954,675.18	1,877,616.19	77,058.99	4.10%
Other Direct Costs	137,349.00	233,860.58	(96,511.58)	-41.27%
Unallow/Unbill Costs	209,451.48	186,994.12	22,457.36	12.01%
	-----	-----	-----	-----
TOTAL DIRECT COSTS	27,729,612.69	23,895,366.83	3,834,245.86	16.05%
INDIRECT COSTS				
Fringe Benefits	7,631,848.76	7,536,138.97	95,709.79	1.27%
Overhead	9,766,251.59	9,574,575.80	191,675.79	2.00%
	-----	-----	-----	-----
TOTAL INDIRECT COSTS	17,398,100.35	17,110,714.77	287,385.58	1.68%
	-----	-----	-----	-----
GROSS PROFIT/LOSS ( )	30,634,297.32	(7,899,978.21)	38,534,275.53	517.81%
	-----	-----	-----	-----
OTHER INCOME				
Water Treatment	159,674.21	181,833.32	(22,159.11)	-12.19%
Miscellaneous Income	36,069.00	31,760.23	4,308.77	13.57%
Other Operating Income	152,701.00	103,155.97	49,545.03	48.03%
	-----	-----	-----	-----
TOTAL OTHER INCOME	348,444.21	316,749.52	31,694.69	10.01%
OTHER EXPENSES				
Misc. Expenses & Donations	(2,331,278.22)	(3,311,382.54)	980,104.32	-29.60%
Loss (Gain) on Sale of FA	677,360.81	139,191.34	538,169.47	386.64%
Other Unallowable Expense	861,310.53	503,816.47	357,494.06	70.96%
Reclass Incr Net Assets	37,108,960.84	(502,512.31)	37,611,473.15	-7484.69%
	-----	-----	-----	-----
TOTAL OTHER EXPENSES	36,316,353.96	(3,170,887.04)	39,487,241.00	-1245.31%
	=====	=====	=====	=====
NET INCOME/LOSS ( )	\$ (5,333,612.43)	\$ (4,412,341.65)	\$ (921,270.78)	20.88%
	=====	=====	=====	=====

**South Dakota Science & Technology Authority**  
**Available Resources**  
**4/30/2025**

Cash Total Checking	\$ 2,073,988
Cash With State Treasurer	<u>\$ 11,022,837</u>
Total Cash	\$ 13,096,824
Less: Restricted Funds	
Indemnification/Mine Closure	\$ (9,131,105)
SB35 Appropriation	\$ (118,792)
Experiments (Xenon, Interest, Infrastructure)	\$ (497,030)
Total Cash Available for Infrastructure Upgrades and Authority Operations	\$ 3,349,898
Plus: Accounts Receivable Billed	\$ 1,026,857
FY21 and FY22 Indirect True up in A/R above	\$ 407,998
Transfer request from the SB35 Appropriation	\$ 47,118
Accounts Receivable Unbilled	\$ 1,244,145
Less: Current Liabilities (Accounts Payable & Accrued Payroll)	\$ (4,474,312)
Available Cash and Receivables	<u>\$ 1,601,705</u>

# SDSTA Operating Budget Summary FY2025

Actual vs Budget  
April 2025 & YTD

	April 2025	Budget	\$ Over/Under Budget	% of Budget	Actual YTD	YTD Budget	\$ Over/Under Budget	% of Budget	% Remaining
									100%
SDSTA (Authority) Direct Charges									
Board of Directors	\$520	\$2,410	\$1,890	21.6%	\$18,521	\$24,100	\$5,579	76.85%	23.15%
Executive Office	\$36,891	\$65,317	\$28,426	56.48%	\$743,640	\$654,867	(\$88,773)	113.56%	-13.56%
SURF Institute	\$10,494	\$16,528	\$6,034	63.49%	\$209,839	\$181,974	(\$27,865)	115.31%	-15.31%
Science Center E & O	\$350	\$250	(\$100)	140.0%	\$71,950	\$52,500	(\$19,450)	137.05%	-37.05%
SURF Foundation	\$44,813	\$29,631	(\$15,182)	151.24%	\$301,337	\$300,950	(\$387)	100.13%	-0.13%
Science Liaison	-\$2,635	\$0	\$2,635	100.0%	-\$1,285	\$0	\$1,285	100%	NA
SLHVC (Visitor Center)	\$19,855	\$27,776	\$7,921	71.48%	\$248,208	\$275,387	\$27,179	90.13%	9.87%
Subtotal	\$110,290	\$141,912	\$31,623	77.72%	\$1,592,211	\$1,489,778	(\$102,433)	106.88%	-6.88%
Federal/State Funding - Direct Charges									
FRA C#671265 Prof. St.Services	\$14,820	\$11,128	(\$3,692)	133.17%	\$141,078	\$111,280	(\$29,798)	126.78%	-26.78%
FRA C#717420 Ross H.F. Misc. Eng.	\$4,654	\$4,654	\$0	100.0%	\$29,136	\$29,136	\$0	100.00%	0.00%
FRA C#674969 Logs Support and / C#713179 BSI Logs Support	\$190,493	\$301,020	\$110,527	63.28%	\$2,031,344	\$3,010,200	\$978,856	67.48%	32.52%
Fermi C#711484 Gen Site Services	\$8,985	\$42,718	\$33,733	21.03%	\$123,096	\$427,176	\$304,080	28.82%	71.18%
Fermi C#711513 Electrical Study	\$0	\$0	\$0	0.0%	\$35,238	\$35,238	\$0	100.00%	0.00%
Office of Science Coop.Agree	\$1,849,796	\$1,824,980	(\$24,816)	101.36%	\$15,962,977	\$16,355,039	\$392,062	97.60%	2.40%
Office of Science IIP Projects	\$234,766	\$234,766	\$0	100.0%	\$7,492,000	\$7,492,000	\$0	0.00%	0.00%
LBNL LZExp.Operat.C#7650068 & DE-SC0022857	\$53,886	\$53,288	(\$598)	101.12%	\$511,387	\$532,882	\$21,495	95.97%	4.03%
Battelle Mem. Inst - DEMO-FTES	\$0	\$1,958	\$1,958	0.0%	\$17,964	\$19,581	\$1,617	91.74%	8.26%
MJD (Majorana) SDSM&T CT005350 CT008480	\$2,673	\$2,008	(\$665)	133.12%	\$21,063	\$20,080	(\$983)	104.90%	-4.90%
BHSU E & O - CT004853 & CT004854	\$4,071	\$10,158	\$6,086	40.08%	\$42,187	\$87,198	\$45,011	48.38%	51.62%
Caspar	\$67	\$67	\$0	100.0%	\$67	\$67	\$0	100.00%	0.00%
* Kiewit/Thyssen/DakotaT.	\$0	\$0	\$0	0.0%	\$0	\$0	\$0	0.00%	100.00%
* Caterpillar Inc.	\$0	\$0	\$0	0.0%	\$0	\$0	\$0	0.00%	100.00%
Subtotal	\$2,364,211	\$2,486,745	\$122,534	95.07%	\$26,407,539	\$28,119,878	\$1,712,339	93.91%	6.09%
Indirect Expenses									
Indirect Charges Personnel	\$425,638	\$685,159	\$259,521	62.12%	\$4,380,423	\$6,576,086	\$2,195,663	66.61%	33.39%
Indirect Charges Other	\$510,502	\$657,412	\$146,910	77.65%	\$5,845,115	\$6,947,220	\$1,102,105	84.14%	15.86%
Subtotal	\$936,140	\$1,342,572	\$406,431	69.73%	\$10,225,538	\$13,523,306	\$3,297,767	75.61%	24.39%
Totals	\$3,410,641	\$3,971,229	\$560,587	85.88%	\$38,225,288	\$43,132,961	\$4,907,674	88.62%	11.38%
* Private Corporations (Commercial Group)									



## Communications Department Photo Appendix C



*Top left: Media Relations Manager Mike Ray leads a group of reporters on an underground orientation tour.*

*Top right: Director Mike Headley speaks at the most well-attended Deep Talks event-to-date, with more than 120 people attending in person.*

*Center left: The 2025 class of SURF interns gathers at the 1700 Level.*

*Center right: Artist-in-Residence Marty Two Bulls Jr. performs an Azilya ceremony at the Ross Shaft.*

*At right: Director Mike Headley hosts CERN Director-General Fabiola Gianotti for an underground site visit.*

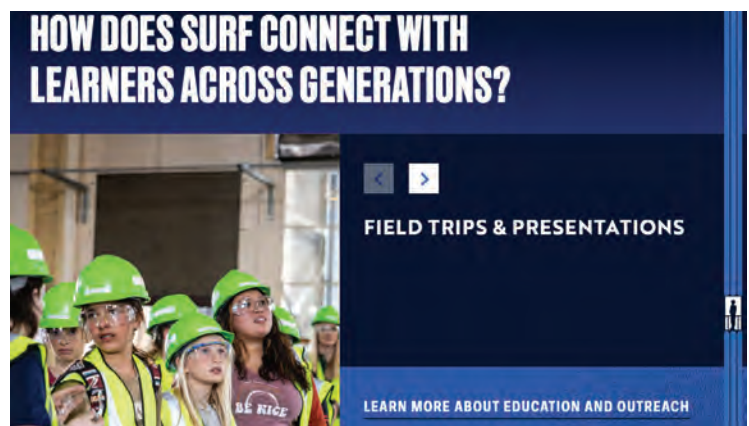
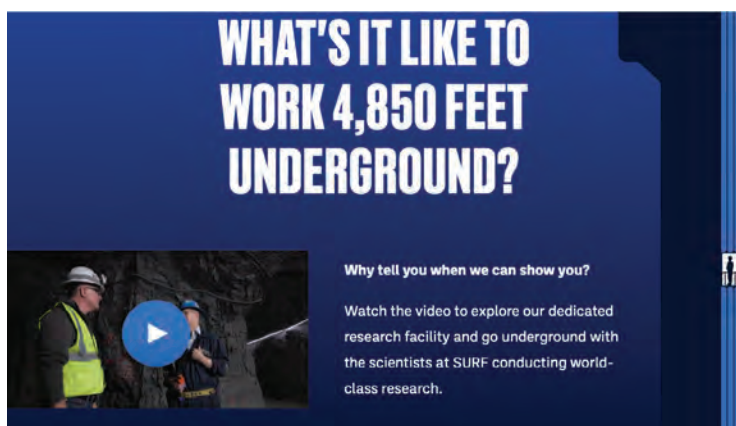
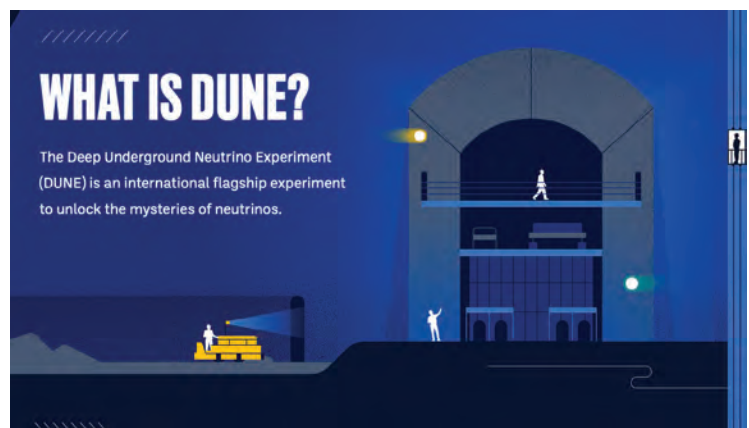
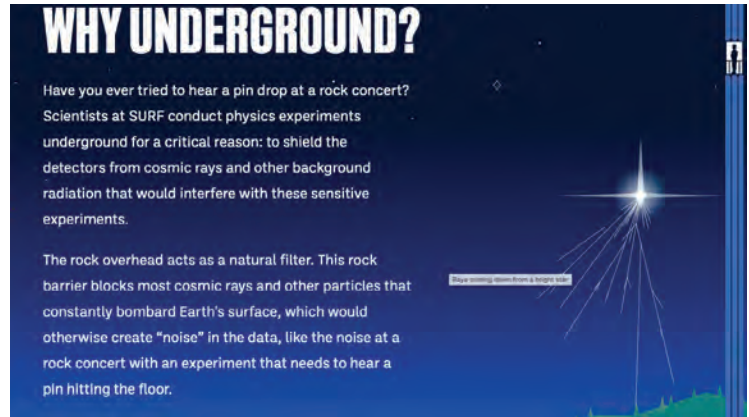




## Communications Department Photo Appendix C

This page features a series of screenshots from our new dynamic landing page, designed to give visitors a quick overview of everything SURF has to offer. The page includes animations and interactive elements that encourage exploration, making it a fun, engaging, and approachable way to learn about SURF.

Visit [curious.sanfordlab.org](http://curious.sanfordlab.org) to explore the live site.



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

---

- 10A. Board members to sign annual statements for 2025 affirming compliance with the SDSTA Financial Conflict of Interest; policy and statement attached.  
*(Return signed statements to [mknight@sanfordlab.org](mailto:mknight@sanfordlab.org).)*
- 10B. Discuss proposal to change SDSTA Manual—*reference board packet*.
- Archive current SDSTA Manual
  - Establish and maintain a Board Governance Policy Manual (*reference board packet*)
  - Approve the structure and delegation for the Employee Handbook
- 10C. Review and approve updated policies (These policies will be included in the Governance Policy Manual):
- *Accounting and Audit*
  - *Code of Conduct and Conflict of Interest*
  - *Financial Conflict of Interest*
  - *ISO*
  - *Policies and Procedures Policy (This will be renamed SDSTA Board Governance Policy)*
  - *Procedure for Public Comment Periods and Form (This will be renamed Public Comment Policy)*
  - *Travel Approval and Reimbursement*

---

**Recommended Action:**

- 10A. Each board member to sign a copy of the Financial Conflict of Interest Statement.*
- 10B. Motion to approve updated and new policies, as discussed.*
- 10C. Motion to accept proposal to change SDSTA Manual.*

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## SDSTA Conflict of Interest Statement

In accordance with Article VII of the South Dakota Science and Technology Authority (SDSTA) Financial Conflict of Interest Policy, this statement affirms that the undersigned:

- a. Has received a copy of the Financial Conflict of Interest Policy,
- b. Has read and understands the policy, and
- c. Has agreed to comply with the policy.

---

*Signature*

---

*Date*

---

*Printed Name*

## 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

# SDSTA Board Governance Manual

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**SANFORD  
UNDERGROUND  
RESEARCH  
FACILITY**

**SOUTH DAKOTA SCIENCE AND TECHNOLOGY AUTHORITY**

# Revision history

Rev	Date	Section	Paragraph	Summary of Change	Authorized by
05	06/22/2023	Employee Handbook	n/a	Updated: Leave PY, Record Retention PY, Travel Approval and Reimbursement—Employees PY & PP and Publication PY - Archive	CCR 775
06	12/14/2023	Employee Handbook	n/a	Record Retention PY	CCR 877
07	12/13/2024	Employee Handbook	n/a	Compensation Philosophy (new) Accounting and Audit Policy (update) Accounting and Audit Policy-Procedure (update)	CCR 1055
08	03/20/2025	Employee Handbook	n/a	SDSTA Manual Section 2 "Employee Handbook" Equal Opportunity Employer (Updated PY title, removed "Affirmative Action") Equal Opportunity Employer (Updated PP title, removed "Affirmative Action") Flexible Work Options (PY) Flexible Work Options (PP) Leave Use of SDSTA Technology Resources and Internet (PY) Retire the Diversity, Equity, and Inclusion Policy	CCR 1087



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## Accounting and Audit Policy

South Dakota Science and Technology Authority

Accounting and audit procedures have been developed by the South Dakota Science and Technology Authority (SDSTA) to ensure internal controls, cash management, and compliance with other necessary financial and accounting requirements of applicable federal, state, and local regulations.

### A. Internal controls

The SDSTA has established and maintains a system of accounting and audit procedures which define basic duties and responsibilities, safeguard SDSTA assets, and identify and correct any errors and irregularities in the financial records on a timely basis.

The Audit Committee, as defined by the SDSTA Audit Committee Charter, is the pro-active steward for oversight of the financial reporting and disclosure process for SDSTA. Audit Committee members are appointed annually to fulfill the responsibilities and duties detailed in the Charter.

### B. Annual audit of financial records

An independent audit of all financial records shall be conducted annually by an auditor approved by the SDSTA Board of Directors

The results of the annual audit report shall be provided to the SDSTA Board of Directors.

### C. Reporting compliance or ethical issues

SDSTA employees have a responsibility to report suspected fraudulent or other dishonest acts to their supervisor, Human Resources, Executive Director, or the SDSTA Board of Directors.

Employees can ask questions or raise concerns about suspected or actual compliance or business ethics issues with their supervisor, manager, Human Resources, the Executive Director or by calling the third-party external ethics hotline.

Employees raising questions and/or concerns in good faith are protected against retaliation.



## **Code of Business Ethics and Conduct Policy**

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) maintains a Code of Business Ethics and Conduct program applicable to all employees. The program includes the following:

1. A written Code of Business Ethics and Conduct;
2. An ongoing business ethics and conduct awareness program;
3. An internal control system for ensuring timely discovery and correction of improper conduct.



## Code of Conduct and Conflict of Interest Policy

South Dakota Science and Technology Authority

The purpose of this code of conduct and conflict of interest policy (“Code”) is to establish a set of minimum ethical principles and guidelines for members of state authorities, boards, commissions, or committees when acting within their official public service capacity. This Code applies to all appointed and elected members of state authorities, boards, commissions and committees (hereinafter “Boards” and “Board member(s)”).

### A. Conflict of interest for Board members

Board members may be subject to statutory restrictions specific to their Boards found in state and federal laws, rules and regulations. Those restrictions are beyond the scope of this Code. Board members should contact their appointing authority or the attorney for the Board for information regarding restrictions specific to their Board.

### B. General restrictions on participation in Board actions

A conflict of interest exists when a Board member has an interest in a matter that is different from the interest of members of the general public. Examples of circumstances which may create a conflict of interest include a personal or pecuniary interest in the matter or an existing or potential employment relationship with a party involved in the proceeding.

Whether or not a conflict of interest requires a Board member to abstain from participation in an official action of the Board depends upon the type of action involved. A Board’s official actions are administrative, quasi-judicial or quasi-legislative.

A quasi-judicial official action is particular and immediate in effect, such as a review of an application for a license or permit. In order to participate in a quasi-judicial official action of the Board, a Board member must be disinterested and free from actual bias or an unacceptable risk of actual bias. A Board member must abstain from participation in the discussion and vote on a quasijudicial official action of the Board if a reasonably-minded person could conclude that there is an unacceptable risk that the Board member has prejudged the matter or that the Board member’s interest or relationship creates a potential to influence the member’s impartiality.

A quasi-legislative official action, also referred to as a regulatory action, is general and future in effect. An example is rule-making. If the official action involved is quasi-legislative in nature, the Board member is not required to abstain from participation in the discussion and vote on the action unless it is clear that the member has an unalterably closed mind on matters critical to the disposition of the action.



## Code of Conduct and Conflict of Interest Policy

South Dakota Science and Technology Authority

Administrative actions involve the day-to-day activities of the Board and include personnel, financing, contracting and other management actions. Most of the administrative official actions of a Board are done through the Board's administrative staff. To the extent Board members are involved, the conflict of interest concern most frequently arises in the area of state contracting which is addressed in more detail below. If issues arise that are not directly addressed by this Code, the Board member should consult with the attorney for the Board.

"Official action" means a decision, recommendation, approval, disapproval or other action which involves discretionary authority. A Board member who violates any of these restrictions may be subject to removal from the Board to which the member is appointed.

### C. Contract restrictions

There are federal and state laws, rules and regulations that address conflict of interest for elected and appointed Board members in the area of contracts. As an initial matter, a Board member may not solicit or accept any gift, favor, reward, or promise of reward, including any promise of future employment, in exchange for recommending, influencing or attempting to influence the award of or the terms of a state contract. This prohibition is absolute and cannot be waived.

Members of certain Boards are required to comply with additional conflict of interest provisions found in SDCL Chapter 3-23 and are required to make an annual disclosure of any contract in which they have or may have an interest or from which they derive a direct benefit. The restrictions apply for one year following the end of the Board member's term. The Boards impacted by these laws are enumerated within SDCL 3-23-10. For more information on these provisions, see the State Authorities/Boards/Commissions page in the Legal Resources section of the Attorney General's website at: <http://atg.sd.gov/legal/opengovernment/authorityboardcommission.aspx>. See also SDCL 5-18A-17, et. seq.

Other federal and state laws, rules and regulations may apply to specific Boards. For general questions regarding the applicability of SDCL Chapter 3-23 or other laws, a Board member may contact the attorney for the Board. However, because the attorney for the Board does not represent the Board member in his or her individual capacity, a Board member should contact a private attorney if the member has questions as to how the conflict of interest laws apply to the Board member's own interests and contracts.

### D. Consequences of violations of conflict of interest laws



## Code of Conduct and Conflict of Interest Policy

South Dakota Science and Technology Authority

A contract entered into in violation of conflict of interest laws is voidable and any benefit received by the Board member is subject to disgorgement. In addition, a Board member who violates conflict of interest laws may be removed from the Board and may be subject to criminal prosecution. For example, a Board member may be prosecuted for theft if the member knowingly uses funds or property entrusted to the member in violation of public trust and the use resulted in a direct financial benefit to the member. See SDCL 3-16-7, , and 22-30-46.

### **E. Retaliation for reporting**

A Board cannot dismiss, suspend, demote, decrease the compensation of, or take any other retaliatory action against an employee because the employee reports, in good faith, a violation or suspected violation of a law or rule, an abuse of funds or abuse of authority, a substantial and specific danger to public health or safety, or a direct criminal conflict of interest, unless the report is specifically prohibited by law.

Board members will not engage in retaliatory treatment of an individual because the individual reports harassment, opposes discrimination, participates in the complaint process, or provides information related to a complaint. See SDCL 20-13-26.

### **F. Anti-harassment/discrimination policy**

While acting within their official capacity, Board members will not engage in harassment or discriminatory or offensive behavior based on race, color, creed, religion, national origin, sex, pregnancy, age, ancestry, genetic information, disability or any other legally protected status or characteristic.

Harassment includes conduct that creates a hostile work environment for an employee or another Board member. This prohibition against harassment and discrimination also encompasses sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually harassing nature, when: (1) submission to or rejection of the harassment is made either explicitly or implicitly the basis of or a condition of employment, appointment, or a favorable or unfavorable action by the Board member; or (2) the harassment has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment or discriminatory or offensive behavior may take different forms and may be verbal, nonverbal, or physical in nature. To aid Board members in identifying inappropriate conduct, the



## Code of Conduct and Conflict of Interest Policy

South Dakota Science and Technology Authority

following examples of harassment or discriminatory or offensive behavior are provided:

- Unwelcome physical contact such as kissing, fondling, hugging or touching;
- Demands for sexual favors; sexual innuendoes, suggestive comments, jokes of a sexual nature, sexist put-downs, or sexual remarks about a person's body; sexual propositions, or persistent unwanted courting;
- Swearing, offensive gestures or graphic language made because of a person's race, color, religion, national origin, sex, age or disability;
- Slurs, jokes, or derogatory remarks, email or other communications relating to race, color, religion, national origin, sex, age or disability; or
- Calendars, posters, pictures, drawings, displays, cartoons, images, lists, e-mails or computer activity that reflects disparagingly upon race, color, religion, national origin, sex, age or disability.

The above cited examples are not intended to be all-inclusive.

A Board member who is in violation of this policy may be subject to removal from the Board.

### **G. Confidential information**

Except as otherwise required by law, Board members shall not disclose confidential information acquired during the course of their official duties. In addition, members are prohibited from the use of confidential information for personal gain.

### **H. Reporting of violations**

Any violation of this Code should be reported to the appointing authority for the Board member who is alleged to have violated the Code.

### **I. Existing policy**

Nothing herein shall act to repeal the SDSTA Financial Conflict of Interest Policy originally adopted February 7, 2007.



## Delegation of Authority—Procurement Policy

South Dakota Science and Technology Authority

### **A. The South Dakota Science and Technology (SDSTA) Board of Directors reserves unto itself:**

1. The sole authority to approve the annual Operating and Capital Expenditure budget.
2. The sole authority to authorize the procurement process for any single contract, purchase order or other expenditure of \$5,000,000.00 or more.
3. The sole authority to accept any single contract or award to SDSTA of \$5,000,000.00 or more.
4. The sole authority to award any single budgeted contract, purchase order or other expenditure of \$5,000,000.00 or more.
5. The sole authority to approve any single non-budgeted contract, purchase order or other expenditure of \$500,000.00 or more.

### **B. The Board of Directors delegates the authority to approve other procurement and expenditures as follows:**

1. The Chairperson shall have the authority to:
  - a. Authorize the procurement process for any single budgeted contract, purchase order or other expenditure of less than \$5,000,000.00.
  - b. Accept any single contract or award to SDSTA of less than \$5,000,000.00.
  - c. Award and execute any single budgeted contract, purchase order or other expenditure of less than \$5,000,000.00.
  - d. Approve, award and execute any single non-budgeted contract, purchase order or other expenditure of less than \$500,000.00.
2. The Executive Director shall have the authority to:
  - a. Authorize the procurement process for any single budgeted contract, purchase order or other expenditure of less than \$2,500,000.00.





## Delegation of Authority—Procurement Policy

South Dakota Science and Technology Authority

- b. Accept any single contract or award to SDSTA of less than \$2,500,000.00.
  - c. Award and execute any single budgeted contract, purchase order or other expenditure of less than \$2,500,000.00.
  - d. Approve, award and execute any single non-budgeted contract, purchase order or other expenditure of less than \$250,000.00.
3. The Laboratory Director shall have the authority to:
- a. Authorize the procurement process for any single budgeted expense of less than \$250,000.00.
  - b. Accept any single contract or award to SDSTA of less than \$250,000.00.
  - c. Award and execute any budgeted contract or purchase order of less than \$250,000.00.
  - d. After consultation with the Chairperson, or if the Chairperson is unavailable, a Vice Chairperson, which consultation shall be documented by the Laboratory Director, exercise the procurement authority of the Executive Director when the Executive Director is unable to do so due to an actual or potential conflict of interest.
    - 1. If the Executive Director and Laboratory Director positions are held by a single individual, the Chief Financial Officer shall have the authority of the Laboratory Director granted under this subsection B.3.
  - e. Department Directors and managers shall have the authority to:
    - 1. Authorize the procurement process for any single budgeted expense of less than \$10,000.00.
    - 2. Award and execute any budgeted contract or purchase order of less than \$10,000.00.



## Delegation of Authority—Procurement Policy

South Dakota Science and Technology Authority

- C. All procurement shall take place in conformity with such federal, state, donor-imposed or other competitive bidding and other procurement laws or requirements as may be applicable to the funds and/or contract or purchase order in question. If no such laws or requirements apply, procurement shall be conducted in the manner most advantageous to the SDSTA, price and other factors considered.
- D. Nothing herein shall prohibit a person with a higher level of authorization to authorize procurements or expenditures within the approval authority of some other person with a lower level of authorization.
- E. Contracts, purchase orders and other expenditures may not be arbitrarily divided into smaller contracts, purchase orders or expenditures for the purpose of evading the authorizations provided for in this policy.
- F. Approval of a contract, purchase order or other expenditure as provided in this policy shall also act to authorize approval of bills, invoices, draw requests or other requests for payment under the approved contract, purchase order or other expenditure, provided that the bill, invoice, draw request or other request for payment is approved under a procedure adopted under this policy.
- G. Members of the Board of Directors, management and staff shall comply with the SDSTA's Financial Conflict of Interest Policy at all times.
- H. This policy addresses only approval authority. As described in the Separation of Duties Policy, authority is distinct from purchasing, receiving and payment functions.



## Emergency Procurement Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) shall allow an emergency procurement only if a threat to public health, welfare, safety, or for other urgent and compelling reasons exists. An emergency procurement shall be made with such competition as is practicable under the circumstances.



## 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.



### Article III—Procedures

#### A. 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.

#### B. 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.

#### C. 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

### D. 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 SCL 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.

### Article VI—Records of Proceedings

The minutes of the Board of Directors and all committees with Board-delegated powers shall contain:

- A. 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.
- B. 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

#### A. 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.

#### B. 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



## Financial Conflict of Interest Policy

South Dakota Science and Technology Authority

SDSTA, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

### Article VIII—Notification of Conflict of Interest Rules

#### A. 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.

#### B. 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.





## Firearms, Explosives and Other Weapons Policy

South Dakota Science and Technology Authority

The purpose of the South Dakota Science and Technology Authority (SDSTA) Firearms, Explosives, and Other Weapons Policy is to protect SDSTA infrastructure, property owned by third parties but located on SDSTA property, and SDSTA and non-SDSTA personnel from damage, injury or death.

This policy applies to all stakeholders, including visitors, users, contractors, employees and agents of SDSTA.

### A. Findings

1. Pursuant to SDCL 1-16H-5, SDCL 1-16H-15, and other applicable law, the SDSTA Board of Directors has plenary authority to manage and regulate the real and personal property owned by it or otherwise under its control. The Board of Director's authority includes the power to establish the terms and conditions upon which persons may have access to SDSTA-owned or controlled property.
2. There exists sensitive experiment-related and other high value hardware underground and on the surface of the Sanford Underground Research Facility (SURF) that could be significantly damaged or destroyed by an accidental or intentional discharge of a firearm.
3. There are from time-to-time significant quantities of explosives stored and/or in use at SURF. These explosives could be triggered by an accidental or intentional discharge of a firearm or the triggering of accidental or intentional explosion of other explosive materials.
4. There exists high value exhibits and other hardware at the Sanford Lab Homestake Visitor Center (SLHVC) that could be significantly damaged or destroyed by an accidental or intentional discharge of a firearm. The SLHVC is often occupied by large numbers of visitors, including children.
5. The prohibition of firearms, explosives and other weapons, other than the possession of firearms and explosives permitted under this policy, will promote a safe environment for visitors, users, contractors, employees and agents of SDSTA.

### B. Definitions

1. Firearm—a pistol, rifle, shotgun or other device from which a projectile is discharged by an explosive. For the purposes of this policy, the term includes antique and non-functioning devices.



## Firearms, Explosives and Other Weapons Policy

South Dakota Science and Technology Authority

2. Explosive—a solid or liquid substance (or mixture of substances) which is in itself is capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings. The term includes pyrotechnic substances even when they do not evolve gases. A pyrotechnic substance is a substance or mixture of substances designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self-sustaining exothermic chemical reactions. The term includes binary explosives in any quantity.
3. Other Weapons—any knife, bow and arrow, crossbow, nun chucks, brass knuckles or other device which is capable of causing injury or death, which is commonly considered to be intended for the purpose of self-defense or for causing injury or death, and which is not intended for any other purpose. The term “knife” does not include a workplace tool or a pocketknife with a blade less than 4-inches long.

### C. Prohibitions

Except as otherwise provided in this subsection C, no person other than law enforcement or military (including National Guard) personnel engaged in the performance of their duties as such or SDSTA security personnel authorized to do so by the Executive Director may use or possess a firearm, explosive, or other weapon anywhere on SDSTA-owned or controlled property. The prohibition on the use or possession of explosives does not apply to qualified SDSTA, consultant or contractor personnel temporarily in control or possession of, or using, explosives as a part of planned experimental, demolition or construction activities.

### D. Consequences for Violations

1. SDSTA employees shall be subject to disciplinary action, up to and including termination, upon the first or any subsequent violation of this policy.
2. Non-SDSTA employees may be temporarily or permanently excluded from SDSTA property upon the first or any subsequent violation of this policy.



## Foreign Access Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) supports an atmosphere of free intellectual exchange and collaboration within the international scientific and technical community. Visitors from around the world perform a vital role in sustaining the creative environment and contributing to the mission of the Sanford Underground Research Facility (SURF). In parallel with supporting science, the SDSTA is required by a Cooperative Agreement (CA) with the U.S. Department of Energy's Office of Science to control access by foreign nationals and to provide protection against any potential compromise of information, equipment or technology.

Before a SURF visit or assignment can occur, the foreign national seeking access must formally request access in writing. The sponsor must approve the access request. A "sponsor" is an SDSTA employee or SURF affiliate who undertakes specific responsibilities described in this policy and serves as the SDSTA point of contact for the foreign national.

Proof of identity and citizenship are required for all foreign visitors and assignees to verify the foreign national's identity and authority to work (when applicable for the activities involved) in the United States. Failure to provide appropriate documentation when required, or providing fraudulent documentation, will result in suspension of access approval, removal from SURF and possible cancellation of future access.

A SURF access badge will be issued upon completion of safety training and approval by the appropriate supervisor and sponsor. SDSTA staff will maintain and archive records of all foreign national visitors, employees, contractors and users onsite for a period of seven (7) years from the date of visit.

At the conclusion of the foreign national visit or assignment, all badges or keys issued to the foreign national must be returned to the SURF Administrative Services Office or sponsor. The SURF check-out procedure shall be followed to ensure all items of concern are returned.

Any violations of this policy will be recorded by SDSTA staff and reported to the Department of Energy as required by the CA.

Reference SURF's Foreign Access Plan for additional details.



### A. Statement

The South Dakota Science and Technology Authority (SDSTA) shall implement and manage an International Organization for Standardization (ISO) system.

### B. Purpose

The SDSTA shall maintain certification of the ISO system in accordance with the Sanford Underground Research Facility (SURF) Operations Cooperative Agreement (CA) between the SDSTA and the U.S. Department of Energy's Office of Science.



## Management and Control of Certain Funds Policy

South Dakota Science and Technology Authority

This policy is adopted by the South Dakota Science and Technology Authority (SDSTA) to comply with the terms of the “Property Donation Agreement between and among Homestake Mining Company of California, the State of South Dakota and the South Dakota Science and Technology Authority” dated April 14, 2006 (the “Agreement”). In the event of a conflict between the terms of this policy and the Agreement, except as otherwise required by applicable law, the terms of the Agreement shall govern the maintenance of the Funds. Capitalized terms used but not defined in this Policy shall be used and construed as defined in the Agreement.

1. All monies appropriated to and held by the SDSTA, other than those that are held at a commercial bank or banks for the immediate cash flow needs of the SDSTA, shall be invested by the South Dakota Investment Council in the state pooled fund account for benefit of the SDSTA. The SDSTA requests and directs the Bureau of Finance and Management to account for and credit interest earned to the SDSTA as provided by SDCL 4-5-30.
2. Monies held at a commercial bank or banks shall be actively managed to meet cash flow requirements and will be held to a minimum in order to maximize Investment Council interest earnings.
3. The SDSTA hereby establishes the following Funds (the “Funds”) within the monies invested with the Investment Council:
  - a. Closure Fund.
  - b. Indemnification Fund.
  - c. General Operating Fund.
4. The SDSTA shall maintain separate accounts for each of the Funds, although the Funds may be maintained by the Investment Council together within the pooled fund account.
5. The initial deposits into the Closure Fund shall be \$800,000 appropriated by the South Dakota Legislature plus \$200,000 delivered to the SDSTA by Homestake. The SDSTA will maintain a restricted balance of \$1,000,000 in the Closure Fund, reduced only by any sums expended by the SDSTA for closure, reclamation, restoration, remediation and subsequent monitoring of the Assets as required by any Governmental Authority pursuant to any Environmental, Health and



## Management and Control of Certain Funds Policy

South Dakota Science and Technology Authority

Safety Law. Interest earned on the principal of the Closure Fund shall remain in and become a part of the Closure Fund. In the event the balance of the Closure Fund decreases below \$1,000,000 for any other reason, the SDSTA shall promptly restore it to a minimum balance of \$1,000,000.

6. The initial deposit into the Indemnification Fund shall be \$10,000,000 appropriated by the South Dakota Legislature. Pursuant to the Third Amendment to the Agreement, the SDSTA will maintain a restricted balance of \$7,500,000 in the Indemnification Fund reduced only by any sums actually spent by the SDSTA for indemnification of the Homestake Indemnified Parties. In the event the balance of the Indemnification Fund decreases below \$7,500,000 for any other reason, the SDSTA shall promptly restore the amount of any decrease to the Indemnification Fund. Interest earned on the principal of the Indemnification Fund shall be transferred to the General Operating Fund not less often than annually.
7. The General Operating Fund shall consist of all other accounts and monies established by and appropriated to the SDSTA and other investments in which the SDSTA is authorized to invest its funds pursuant to applicable law. The General Operating Fund shall be used only for activities related to general operating costs, rehabilitation, development and operation of the Assets for the purposes established by the SDSTA and consistent with the Agreement, including solicitation of scientific, research and development projects to use the Assets.
8. The Chief Financial Officer shall prepare semi-annual certifications showing the balance in each of the Closure Fund, the Indemnification Fund and the General Operating Fund, and shall make them available for public inspection.



## Public Comment Policy

South Dakota Science and Technology Authority

### Public Comment Policy and Form:

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.

Adopted June 28, 2018

Full Name:

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City of Residence:

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General Subject Matter of Comments:

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## Receiving State Money Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) will request the transfer of funds from the State Treasurer's Office to the SDSTA's local bank account as necessary.

The SDSTA will provide quarterly bank statements from the SDSTA's local bank account to the South Dakota State Auditor and to the South Dakota State Treasurer consistent with South Dakota Codified Law 4-4-3.





## Record Retention Policy

South Dakota Science and Technology Authority

### 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 - Workers Compensation	Indefinitely during employment & 10 years after termination
Accounts payable checks and vouchers (copies)	7 years
Accounts payable ledgers and schedules	7 years
Accounts receivable ledgers and schedules	7 years
Audit reports	Indefinitely
Bank reconciliations	7 years
Bank statements	7 years
Cash books	7 years
Contracts	Destroy 10 years after termination
Correspondence (only regarding legal and important matters)	Indefinitely
Deeds, mortgages and bills of sales	Indefinitely
Depreciation schedules	7 years
Employment applications	5 years
Employee timesheets	7 years
Financial statements (only year-end)	Indefinitely
Foreign Nationals Identifications – Badged Users and Contractors	7 years after end of fiscal year
Garnishments	7 years
Government-furnished property (only equipment over \$5K)	7 years
Indirect cost rate proposals	Indefinitely
Insurance policies (expired)	10 years



## Record Retention Policy

South Dakota Science and Technology Authority

Type of Record	Retention Period
Accident Reports/Claims Files – Non-Workers Compensation	10 years after resolution or accident, whichever is longer
Inventories of products, materials, supplies	7 years
Invoices (only to customers and from vendors)	7 years
Journals	7 years
Minute books of directors	Indefinitely
Payroll records and summaries	7 years
Personnel files	Indefinitely during employment and 10 years after termination
Petty cash vouchers	7 years
Property appraisals by outside appraisers	Indefinitely
Purchase orders	7 years
Receiving sheets	7 years
Retirement and pension records	Indefinitely
Requisitions	7 years
Scrap and salvage records	7 years
Visitor daily check-in logs and monthly registration logs	5 years
Voucher register and schedules	7 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



## Record Retention Policy

South Dakota Science and Technology Authority

Type of Record	Retention Period
Emergency Planning and Community Right-to-know Act (EP-CRA) 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



## Record Retention Policy

South Dakota Science and Technology Authority

### Quality

Type of Record	Retention Period
Audits	Retain for duration of ISO System plus 5 years
Audits Schedules	5 years
Change Control Requests Approvals	5 years
Environmental Aspect/Impact FMEA	Retain for duration of ISO System plus 5 years
Gauge Calibrations	Retain for duration of ISO System plus 5 years
IMS Objectives Planning	5 years
Management Review Reports	5 years
Nonconformances (NCs) & Corrective Actions (CAs)	Retain for duration of ISO System plus 5 years
Safety and Support Perception Survey	5 Years
Work Participation and Consultation FMEA	Retain for duration of ISO System plus 5 years

#### B. 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.

#### C. Purpose

Records retention is essential for SDSTA operations and compliance.

#### D. Related Policies and Procedures

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



## Reimbursement of Alcohol Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) will not pay or reimburse employees or other individuals for alcoholic beverages with Federal or State funds. On limited occasions, unrestricted SDSTA funds may be used to purchase alcohol for events with the approval of the Executive Director. Unrestricted SDSTA funds may also be used to reimburse an employee or board member for alcohol purchased as part of a business meeting, meal, or other representational function with non-SDSTA guests held to further SDSTA's goals and activities. Reimbursement for any business meeting, meal, or representational purpose must be approved by the Executive Director, or, if the individual claiming the reimbursement is either the Executive Director or a board member, by the board Chairperson or by majority vote of the board.



## SDSTA Board Governance Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) is governed by a Board of Directors. The Board of Directors is responsible for establishing governance policies to ensure accountability, oversight, and strategic direction of the organization. In support of operational effectiveness, safety, and legal compliance, the Board shall also ensure that an Employee Handbook is maintained to govern employee conduct and facilitate the safe and efficient operation of the facility.

The Board of Directors delegates the authority and responsibility for the development, approval, implementation, and ongoing administration of the Employee Handbook to the Executive Director, in consultation with legal counsel. The Employee Handbook shall be reviewed at least annually to ensure continued relevance and compliance, and any updates shall be reported to the Board of Directors on a quarterly basis.

Copies of all Employee Handbook policies shall be readily available to SDSTA personnel.



## Separation of Duties Policy

South Dakota Science and Technology Authority

It is the policy of the South Dakota Science and Technology Authority (SDSTA) that departments must separate the duties of purchasing, receiving and authorizing payment for goods and services by distributing the duties among two or more people. Segregation of duties is critical to an effective internal control environment and provides necessary checks and balances to deter fraud, detect errors and prevent concealment of irregularities. Should staff limitations require one person to be responsible for two or more of these functions, a supervisory review should be conducted as a compensating control activity.



## Sole Source Noncompetitive Procurements Policy

South Dakota Science and Technology Authority

It is the policy of the South Dakota Science and Technology Authority (SDSTA) that procurements be made on a competitive basis to the maximum extent practical. However, there may be circumstances where only one source has the practical capability to perform the work or provide the required services within the time required and at reasonable prices.

In such circumstance, the requestor must complete a written determination using the Sole Source Justification form, which establishes that competition will not be practical or possible. Approval of the request must be obtained from the Business Services and Contracts Manager or Executive Director.

Sole source procurements should be used only when no other reasonable alternatives exist. Competition must be solicited if doubt exists whether a sole source procurement is appropriate.

The requirement to justify a sole source procurements does not apply to the following:

1. Procurements of electric power or energy, gas (natural or manufactured), water or other utility;
2. Procurements of educational services from nonprofit institutions;
3. Acquisitions from or through other Government agencies; and
4. Insurance and professional services.

Approved Sole Source Justifications shall remain effective for a period of three (3) years from the date of approval.





## Succession Plan Policy

South Dakota Science and Technology Authority

Recognizing that changes in management are inevitable, the South Dakota Science and Technology Authority (SDSTA) shall establish a succession plan, which identifies critical executive and management positions so as to avoid extended and costly vacancies in key positions and provide continuity in leadership.



## Surplus Property Disposal Policy

South Dakota Science and Technology Authority

This policy establishes the terms and conditions upon which personal property owned by the South Dakota Science and Technology Authority (SDSTA) may be declared surplus and disposed of by the SDSTA.

### A. Applicability

1. It is the policy and position of the SDSTA that it is a body corporate and politic and not a unit of state government or a state agency, and that property owned by the SDSTA is not “state-owned property.” It is also the policy and position of the SDSTA that SDCL 1-16H-15(16) grants the SDSTA the power to dispose of surplus property upon such terms and conditions as the SDSTA deems appropriate and in furtherance of the purpose for which it was organized. Accordingly, the disposal of surplus property owned by the SDSTA is not governed by SDCL Ch. 5-24A or other state law of general application concerning the disposition of surplus property owned by governmental entities.
2. The disposal of any property purchased with federal or state grant funds is subject to the terms and conditions of the grant under which the property was purchased.
3. This policy shall apply only to personal property, including personal property, which may also be characterized under general standards of property law as a fixture. It shall not apply to real property (other than fixtures).

### B. Declaration of surplus

1. Property may be declared surplus if it is no longer needed by the SDSTA or is no longer necessary, useful or suitable for the purposes for which it was acquired or previously used.
2. The Executive Director shall make the initial determination concerning whether property should be declared surplus.
3. If the Executive Director determines that property should be declared surplus, its fair market value (net of the costs of removal and transportation off SDSTA property) shall be estimated and a means of disposal consistent with this policy that is most advantageous to the SDSTA determined. The Executive Director shall document the estimate and recommendation and basis for each.



## Surplus Property Disposal Policy

South Dakota Science and Technology Authority

4. Although SDCL 1-16H-15(16) grants the SDSTA the power to dispose of surplus property upon such terms and conditions as the SDSTA deems appropriate, the SDSTA elects to adopt the procedures set forth in SDCL Ch. 5-24A as Best Practices for the disposal of personal property declared surplus by the SDSTA.
5. The Executive Director shall report any such declaration and disposal to the Board of Directors in writing within ninety (90) days.

### **C. Means of disposal—transfer of title**

1. The Executive Director is authorized to execute a bill of sale for the property disposed of in the name of the SDSTA.

### **D. Proceeds from disposition**

1. Proceeds from the disposition of surplus property shall be applied first to the cost of disposition and any excess shall then be deposited into the general fund of the SDSTA.

### **E. Conflicts of interest**

1. All directors, officers, employees, and agents shall avoid actual conflicts of interest and the appearance of a conflict of interest in connection with the disposal of surplus property.
2. Surplus property shall not be gifted or donated to directors, officers, employees or agents of the SDSTA.
3. Directors, officers, employees, and agents of the SDSTA may purchase surplus property, but only if the property is offered for sale via sealed bids through the Sanford Lab website or at a public auction.



## Travel Approval and Reimbursement—Board Members Policy

South Dakota Science and Technology Authority

Members of the South Dakota Science and Technology Authority (SDSTA) Board of Directors shall be reimbursed for travel expenses at rates established by the South Dakota Board of Finance for attendance at SDSTA events, conferences or Board meetings per the following guidelines.

### A. Transportation

Members of the SDSTA Board of Directors will be paid mileage at the rate established by the South Dakota Board of Finance for attendance at SDSTA events, conferences or Board meetings.

When traveling by air, reservations for the least expensive seating option shall be made two (2) weeks in advance, unless waived by the Executive Director, and charged directly to SDSTA. Reservations shall be made through the SDSTA-recommended travel agency by SDSTA or by the Board member.

Should taxis, shuttles or rental cars be used for transportation between the airport and the final destination hotel or meeting site, receipts will be required for reimbursement. A regular sized vehicle is adequate for business travel; insurance protections/coverages offered when renting a vehicle should be declined as SDSTA will not reimburse for this expense.

### B. Lodging

Lodging reservations for Board members shall be made by SDSTA, unless waived by the Executive Director.

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

### C. Meals

SDSTA Board members shall be reimbursed for meals at the rates and upon the terms established from time-to-time by the South Dakota Board of Finance.

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

SDSTA will not reimburse for alcoholic beverages under any circumstances.



## Travel Approval and Reimbursement—Board Members Policy

South Dakota Science and Technology Authority

Every effort will be made to keep the cost for meals provided by SDSTA during SDSTA events, conferences or Board meetings at the rate that would be allowed on the State approved per diem basis. The Executive Director is charged with minimizing the costs as much as possible.

### **D. Reimbursement**

SDSTA Board members must submit a Board Travel Reimbursement form and the required documentation for any transportation, lodging, meals and related expenses incurred and paid by the Board member, to receive reimbursement.



## Utilization of Small Business Concerns Policy

South Dakota Science and Technology Authority

It is the policy of the South Dakota Science and Technology Authority (SDSTA) to encourage maximum practicable opportunities for small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, Historically Underutilized Business Zone (HUBZone) small business concerns, small disadvantaged business concerns, and women-owned small business concerns to compete for and participate in the performance of subcontracts let by SDSTA if required under a federally-funded binding agreement or other applicable law.



## Whistleblower Policy

South Dakota Science and Technology Authority

The South Dakota Science and Technology Authority (SDSTA) expects its directors, employees and other representatives to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the SDSTA must practice honesty and integrity in fulfilling responsibilities and comply with all applicable federal and state laws and regulations.

### A. Reporting responsibility

It is the responsibility of all directors and employees to report Reportable Conduct in accordance with this Whistleblower Policy.

### B. Reportable conduct

The term, “Reportable Conduct,” as used in this policy, means any serious impropriety that may impact the integrity or effective operations of the SDSTA, including, but not limited to, any one or more of the following:

- A serious violation of SDSTA policy;
- An unresolved Financial Conflict of Interest (see *Financial Conflict of Interest Policy*)
- A violation of applicable state or federal law; or
- The use of SDSTA property, resources or authority for personal gain or other unauthorized non organization-related purpose.

### C. No retaliation

No officer or employee who in good faith reports Reportable Conduct will suffer harassment, retaliation or adverse employment consequence. Any officer or employee who retaliates against anyone who has reported Reportable Conduct in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the SDSTA prior to seeking resolution outside the SDSTA.



### **D. Reporting conduct under this policy**

The SDSTA encourages its officers and employees to share their questions, concerns, suggestions or complaints with someone who can address them properly. Any officer or employee may report Reportable Conduct to the Executive Director or the Chairperson of the Board of Directors. If the Reportable Conduct implicates one or both of the Executive Director or the Chairperson of the Board of Directors, or if the reporting individual is not comfortable speaking with or not satisfied with response of the foregoing individuals, the issue may be reported to any member of the Board of Directors or to the SDSTA's general counsel.

The Executive Director, the SDSTA's general counsel and any member of the Board of Directors to whom a report of Reportable Conduct is made are required to immediately advise the full Board of Directors of such report.

### **E. Acting in good faith**

Anyone filing a complaint of Reportable Conduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates Reportable Conduct. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **F. Confidentiality**

Reports of Reportable Conduct or suspected Reportable Conduct may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of Reportable Conduct or suspected Reportable Conduct will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **G. Handling of reported reportable conduct**

A representative of the Board of Directors will notify the sender and acknowledge receipt of the report of Reportable Conduct or suspected Reportable Conduct within five business days, unless such report was submitted anonymously. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.





### H. OSHA Act of 1970

The Occupational Safety and Health Act of 1970 gives employees the right to file complaints about workplace safety and health hazards. Further, the Act gives complainants the right to request that their names not be revealed to their employers. In addition, employees who believe that their employer has discriminated or retaliated against them for raising or reporting safety or health concerns may file a complaint. Details on filing a complaint with OSHA can be found at <http://www.osha.gov/as/opa/worker/complain.html> or if there is an emergency or the hazard is immediately life-threatening, call your local OSHA Regional Office or 1-800-321-OSHA.

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## Accounting and Audit Policy updated

Accounting and audit procedures have been developed by the South Dakota Science and Technology Authority (SDSTA) to ensure internal controls, cash management, and compliance with other necessary financial and accounting requirements of applicable federal, state, and local regulations.

### **A. Internal controls**

The SDSTA has established and maintains a system of accounting and audit procedures which define basic duties and responsibilities, safeguard SDSTA assets, and identify and correct any errors and irregularities in the financial records on a timely basis.

~~The Chief Financial Officer (CFO) shall direct and monitor adherence to generally accepted accounting principles to ensure compliance with all applicable laws and regulations.~~

The Audit Committee, as defined by the SDSTA Audit Committee Charter, is the pro-active steward for oversight of the financial reporting and disclosure process for SDSTA. Audit Committee members are appointed annually to fulfill the responsibilities and duties detailed in the Charter.

### **~~B. SDSTA funds (cash)~~**

~~1. SDSTA Management and Control of Certain Funds Policy authorizes the establishment of the Closure Fund, the Indemnification Fund, and the General Operating Fund.~~

- ~~a. The Closure Fund maintains a restricted balance of \$1,000,000.00, reduced only by any sums expended by the SDSTA for closure, reclamation, restoration, remediation, and subsequent monitoring of the Assets as required by any Governmental Authority pursuant to any Environmental, Health, and Safety Law. Interest earned on the principal of the Closure Fund shall remain in and become a part of the Closure Fund. In the event the balance of the Closure Fund decreases below \$1,000,000.00 for any other reason, the SDSTA shall promptly restore it to a minimum balance of \$1,000,000.00.~~
- ~~b. The Indemnification Fund maintains a restricted balance of \$7,500,000.00, reduced only by any sums actually spent by the SDSTA for indemnification of the Homestake Indemnified Parties. In the event the balance of the Indemnification Fund decreases below \$7,500,000.00 for any other reason, the SDSTA shall promptly restore the amount of any decrease to the Indemnification Fund. Interest earned on the principal of the Indemnification Fund shall be transferred to the General Operating Fund not less often than annually.~~
- ~~c. The General Operating Fund consists of all other accounts and monies established by and appropriated to the SDSTA and other investments in which the SDSTA is authorized to invest its funds.~~



~~The General Operating Funds may be used for activities related to general operating costs, rehabilitation, development, and operation of the Assets for the purposes established by the SDSTA and consistent with the Agreement, including solicitation of scientific, research and development projects to use the Assets, as defined in the "Property Donation Agreement between and among Homestake Mining Company of California, the State of South Dakota and the South Dakota Science and Technology Authority, dated April 14, 2006" (PDA).~~

- ~~d. The CFO shall prepare semi-annual certifications showing the balance in each of the Closure, Indemnification, and General Operating Funds and shall make them available for public inspection.~~

## ~~2. Check and Cash Deposits~~

~~One individual in the Accounting and Finance Office will receive all checks and cash. A photocopy of all checks will be produced. This individual will log the item into the electronic receipt document and code. The check or cash will then be given to a second party to initiate a deposit slip and take to the financial institution. A receipt of the deposit will be returned to the originator of the transaction. The originator will verify the correct amount of the deposit and attach to the photocopy of the check/cash. This will be provided to a separate Accountant in the Accounting and Finance Office to initiate the transaction in the accounting software. A copy shall be maintained in the Accounting and Finance Office.~~

- ~~3. The SDSTA will request the transfer of funds from the State Treasurer's Office to the SDSTA's local bank account as necessary in accordance with the State's procedures. A copy of such requests will be retained by SDSTA in its records. Quarterly bank statements for SDSTA's local bank account will be provided to the South Dakota State Auditor and the South Dakota State Treasurer consistent with SDGL 4-4-3.~~
- ~~4. Reconciliation—A designated employee shall complete a monthly bank account reconciliation statement for funds held in the SDSTA's bank account(s). Once completed, each bank reconciliation is reviewed by another designated employee.~~

## ~~C. Proprietary fund~~

~~The financial activity of the SDSTA is accounted for as a proprietary fund type and for the purposes of the State's Comprehensive Annual Financial Report is treated as a component unit of the State of South Dakota. SDSTA's proprietary fund follows all GASB and FASB requirements to fairly present all monetary accounts listed in B. above and will distinguish between operating and non-operating revenues and expenses.~~

## ~~D. Asset capitalization~~

~~The SDSTA will capitalize all expenditures for assets with a life of greater than one year and a cost of \$10,000.00 or more. They will be depreciated over their estimated useful life on a straight-line basis.~~

## ~~E. Fixed asset inventory~~



- ~~1. The SDSTA shall maintain an accurate account of all fixed assets. As items are purchased (or donated), their date of purchase, source of purchase, cost or fair market value, serial numbers, warranty period, etc. shall be noted. The CFO shall ensure an annual inventory is completed each year, and the property files checked and updated, if necessary.~~
- ~~2. Fixed assets with a life greater than one year and a cost of \$10,000.00 or more that are purchased with federal funds will be accounted for on a separate Subcontractor Acquired Property (SAP) report.~~

#### ~~F. Budgeting~~

~~— It is the responsibility of the CFO to oversee the budget process.~~

- ~~1. Monies earned by the SDSTA from investments made through the State Investment Council, pursuant to legislation approved by the South Dakota State Legislature, will be budgeted at the Board's discretion.~~
- ~~2. Department budgets will be developed with the assistance of Project Controls and Department Directors.~~

#### ~~G. Financial statements~~

- ~~1. The CFO or designee shall prepare monthly financial statements, including:
  - ~~• a balance sheet and a statement of income and expenses;~~
  - ~~• a budget to actual report for all accounts included in the annual operating budget.~~~~
- ~~2. The monthly statements will be finalized by the 12<sup>th</sup> business day of the following month.~~
- ~~3. The monthly statements shall be reviewed by the Executive Director prior to distribution to the SDSTA Board of Directors.~~

#### ~~H. Indirect rate analysis~~

~~— An indirect rate analysis is prepared annually. Upon acceptance by the Department of Energy, the rate will be used for charging the SURF Operations Cooperative Agreement and subcontracts.~~

#### ~~I. Petty cash~~

~~— All petty cash slips shall be dated and state the purpose of the expenditure. Disbursements greater than \$1.00 must be accompanied by a sales receipt. Petty cash disbursements are limited to \$50.00 per occurrence. A log is maintained by the Accounting and Finance Office. The fund will be reconciled monthly and replenished by the CFO as needed.~~

#### ~~J. Accounts Payable procedures~~

~~— When an invoice is received it is date stamped by the employee designated as the originator, included in the 'Monthly Bills to Be Paid' file, and added to the list of bills and budgetary coding to be approved.~~



- ~~1. The list, and all related invoices and documents, are submitted for approval by the Executive Director, CFO, or designee. The originator may not be an authorized signatory. Once the invoices and related documents are reviewed and the list of bills are approved, the invoices are then processed for payment by the Accountant.~~
- ~~1. Reimbursement of Incidental Expenses (Not to include Travel)—Reimbursement is limited to \$500.00 per occurrence, unless the Executive Director (or board Chairperson,) provides prior approval. Reimbursement in which the Executive Director or a board member is the claimant must be approved by the board Chairperson or a majority vote of the board. All expenses must be included on the approved reimbursement form, with all itemized receipts attached. SDSTA will provide reimbursement for the purchase of alcoholic beverages in accordance with its Reimbursement of Alcohol Policy.~~
- ~~2. Credit Card Payments—The monthly invoices for SDSTA credit cards are viewed by the CFO or designee. The Accounting and Finance Office will assign each charge to a budget category and include the total amount due on the list of items to be paid as outlined in Section J. Supporting documentation must accompany the credit card statement.~~
- ~~3. Paper and electronic files are kept as official SDSTA records per the Record Retention Policy. The invoices and the signed list of bills are filed together.~~

#### **K.B. Annual audit of financial records**

An independent audit of all financial records shall be conducted annually by an auditor approved by the SDSTA Board of Directors.

The results of the annual audit report shall be provided to the SDSTA Board of Directors.

#### **L.C. Reporting compliance or ethical issues**

SDSTA employees have a responsibility to report suspected fraudulent or other dishonest acts to their supervisor, Human Resources, Executive Director, or the SDSTA Board of Directors.

Employees can ask questions or raise concerns about suspected or actual compliance or business ethics issues with their supervisor, manager, Human Resources, the Executive Director or by calling the third-party external ethics hotline.

Employees raising questions and/or concerns in good faith are protected against retaliation.

#### **M. Related documents**

- ~~▪ Accounting and Audit Policy~~
- ~~▪ Lighthouse Services, Inc. external third-party hotline and website: 1-844-280-0005, [www.lighthouse-services.com/sanfordlab](http://www.lighthouse-services.com/sanfordlab)~~
- ~~▪ Management and Control of Certain Funds Policy~~
- ~~▪ Open Door Policy and Policy-Procedure~~
- ~~▪ Records Retention Policy~~
- Reimbursement of Alcohol Policy



The purpose of this code of conduct and conflict of interest policy ("Code") is to establish a set of minimum ethical principles and guidelines for members of state authorities, boards, commissions, or committees when acting within their official public service capacity. This Code applies to all appointed and elected members of state authorities, boards, commissions and committees (hereinafter "Boards" and "Board member(s)").

#### **A. Conflict of interest for Board members**

Board members may be subject to statutory restrictions specific to their Boards found in state and federal laws, rules and regulations. Those restrictions are beyond the scope of this Code. Board members should contact their appointing authority or the attorney for the Board for information regarding restrictions specific to their Board.

#### **B. General restrictions on participation in Board actions**

A conflict of interest exists when a Board member has an interest in a matter that is different from the interest of members of the general public. Examples of circumstances which may create a conflict of interest include a personal or pecuniary interest in the matter or an existing or potential employment relationship with a party involved in the proceeding.

Whether or not a conflict of interest requires a Board member to abstain from participation in an official action of the Board depends upon the type of action involved. A Board's official actions are administrative, quasi-judicial or quasi-legislative.

A quasi-judicial official action is particular and immediate in effect, such as a review of an application for a license or permit. In order to participate in a quasi-judicial official action of the Board, a Board member must be disinterested and free from actual bias or an unacceptable risk of actual bias. A Board member must abstain from participation in the discussion and vote on a quasijudicial official action of the Board if a reasonably-minded person could conclude that there is an unacceptable risk that the Board member has prejudged the matter or that the Board member's interest or relationship creates a potential to influence the member's impartiality.

A quasi-legislative official action, also referred to as a regulatory action, is general and future in effect. An example is rule-making. If the official action involved is quasi-legislative in nature, the Board member is not required to abstain from participation in the discussion and vote on the action unless it is clear that the member has an unalterably closed mind on matters critical to the disposition of the action.

Administrative actions involve the day-to-day activities of the Board and include personnel, financing, contracting and other management actions. Most of the administrative official actions of a Board are done through the Board's administrative staff. To the extent Board members are involved, the conflict of interest concern most frequently arises in the area of state contracting which is addressed in more detail below. If issues arise that are not directly addressed by this Code, the Board member should consult with the attorney for the Board.



“Official action” means a decision, recommendation, approval, disapproval or other action which involves discretionary authority. A Board member who violates any of these restrictions may be subject to removal from the Board to which the member is appointed.

### **C. Contract restrictions**

There are federal and state laws, rules and regulations that address conflict of interest for elected and appointed Board members in the area of contracts. As an initial matter, a Board member may not solicit or accept any gift, favor, reward, or promise of reward, including any promise of future employment, in exchange for recommending, influencing or attempting to influence the award of or the terms of a state contract. This prohibition is absolute and cannot be waived.

Members of certain Boards are required to comply with additional conflict of interest provisions found in SDCL Chapter 3-23 and are required to make an annual disclosure of any contract in which they have or may have an interest or from which they derive a direct benefit. The restrictions apply for one year following the end of the Board member's term. The Boards impacted by these laws are enumerated within SDCL 3-23-10. For more information on these provisions, see the State Authorities/Boards/Commissions page in the Legal Resources section of the Attorney General's website at:

<http://atg.sd.gov/legal/opengovernment/authorityboardcommission.aspx>. See also SDCL 5-18A-17, et. seq.

~~Absent a waiver, certain Board members are further prohibited from deriving a direct benefit from a contract with an outside entity if the Board member had substantial involvement in recommending, awarding, or administering the contract or if the Board member supervised another state officer or employee who approved, awarded or administered the contract. With the exception of employment contracts, the foregoing prohibition applies for one year following the end of the Board member's term. However, the foregoing prohibition does not apply to Board members who serve without compensation or who are only paid a per diem. See SDCL 5-18A-17 to 5-18A-17.6. For more information on these restrictions see the Conflict of Interest Waiver Instructions and Form on the South Dakota Bureau of Human Resources website.~~

Other federal and state laws, rules and regulations may apply to specific Boards. For general questions regarding the applicability of SDCL Chapter 3-23 or other laws, a Board member may contact the attorney for the Board. However, because the attorney for the Board does not represent the Board member in his or her individual capacity, a Board member should contact a private attorney if the member has questions as to how the conflict of interest laws apply to the Board member's own interests and contracts.

### **D. Consequences of violations of conflict of interest laws**

A contract entered into in violation of conflict of interest laws is voidable and any benefit received by the Board member is subject to disgorgement. In addition, a Board member who violates conflict of interest laws may be removed from the Board and may be subject to criminal prosecution. For example, a Board member may be prosecuted for theft if the member knowingly



uses funds or property entrusted to the member in violation of public trust and the use resulted in a direct financial benefit to the member. See SDCL 3-16-7, ~~5-18A-17.4~~, and 22-30-46.

#### **E. Retaliation for reporting**

A Board cannot dismiss, suspend, demote, decrease the compensation of, or take any other retaliatory action against an employee because the employee reports, in good faith, a violation or suspected violation of a law or rule, an abuse of funds or abuse of authority, a substantial and specific danger to public health or safety, or a direct criminal conflict of interest, unless the report is specifically prohibited by law. ~~SDCL 3-16-9 & 3-16-10.~~

Board members will not engage in retaliatory treatment of an individual because the individual reports harassment, opposes discrimination, participates in the complaint process, or provides information related to a complaint. See SDCL 20-13-26.

#### **F. Anti-harassment/discrimination policy**

While acting within their official capacity, Board members will not engage in harassment or discriminatory or offensive behavior based on race, color, creed, religion, national origin, sex, pregnancy, age, ancestry, genetic information, disability or any other legally protected status or characteristic.

Harassment includes conduct that creates a hostile work environment for an employee or another Board member. This prohibition against harassment and discrimination also encompasses sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually harassing nature, when: (1) submission to or rejection of the harassment is made either explicitly or implicitly the basis of or a condition of employment, appointment, or a favorable or unfavorable action by the Board member; or (2) the harassment has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment or discriminatory or offensive behavior may take different forms and may be verbal, nonverbal, or physical in nature. To aid Board members in identifying inappropriate conduct, the following examples of harassment or discriminatory or offensive behavior are provided:

- Unwelcome physical contact such as kissing, fondling, hugging or touching;
- Demands for sexual favors; sexual innuendoes, suggestive comments, jokes of a sexual nature, sexist put-downs, or sexual remarks about a person's body; sexual propositions, or persistent unwanted courting;
- Swearing, offensive gestures or graphic language made because of a person's race, color, religion, national origin, sex, age or disability;
- Slurs, jokes, or derogatory remarks, email or other communications relating to race, color, religion, national origin, sex, age or disability; or

- Calendars, posters, pictures, drawings, displays, cartoons, images, lists, e-mails or computer activity that reflects disparagingly upon race, color, religion, national origin, sex, age or disability.

The above cited examples are not intended to be all-inclusive.

A Board member who is in violation of this policy may be subject to removal from the Board.

#### **G. Confidential information**

Except as otherwise required by law, Board members shall not disclose confidential information acquired during the course of their official duties. In addition, members are prohibited from the use of confidential information for personal gain.

#### **H. Reporting of violations**

Any violation of this Code should be reported to the appointing authority for the Board member who is alleged to have violated the Code.

#### **I. Existing policy**

Nothing herein shall act to repeal the SDSTA Financial Conflict of Interest Policy originally adopted February 7, 2007.

~~This Code of Conduct and Conflict of Interest Policy was adopted by the State Board of Internal Control pursuant to SDCL § 1-56-6.~~



## **Financial Conflict of Interest Policy, updated**

### **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.

### **Article III—Procedures**

#### **A. 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.

#### **B. 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.

### **C. 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.

### **D. 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.

## **B. 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.

## **C. 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.

### **Article V—SDCL Ch. 3-23**

Members of the Board of Directors shall also comply with the provisions of SCL 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.

### ~~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.~~

### **Article VI—Records of Proceedings**

The minutes of the Board of Directors and all committees with Board-delegated powers shall contain:

- A.** 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.
- B.** 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**

### **A. 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.

### **B. 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.

### **C. 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.

## **Article VIII—Notification of Conflict of Interest Rules**

### **A. 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.

### **B. 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 Procedure, Section F.~~

## **Integrated Management System Policy, updated and renamed as "International Organization for Standardization System Policy"**

### **A. Statement**

The South Dakota Science and Technology Authority (SDSTA) shall implement and manage an ~~Integrated Management System (IMS) based on~~ International Organization for Standardization (ISO) ~~standards system~~. ~~The IMS is inclusive of the following standards and requirements: ISO 9001:2015 Quality Management System, ISO 14001:2015 Environmental Management System and ISO 45001:2018 Occupational Health and Safety Management System.~~

### **B. Purpose**

The SDSTA shall maintain certification of the ~~ISO system~~ ~~IMS~~ in accordance with the Sanford Underground Research Facility (SURF) Operations Cooperative Agreement (CA) between the SDSTA and the U.S. Department of Energy's Office of Science.

### **~~C. Related Policies or Procedures~~**

- ~~IMS Policy, IMSM-(A-520-001)-173288~~





## **Policies and Procedures Policy**, updated and renamed as **"SDSTA Board Governance Policy"**

The South Dakota Science and Technology Authority (SDSTA) is governed by a Board of Directors. The Board of Directors is responsible for establishing governance policies to ensure accountability, oversight, and strategic direction of the organization. In support of operational effectiveness, safety, and legal compliance, the Board shall also ensure that an Employee Handbook is maintained to govern employee conduct and facilitate the safe and efficient operation of the facility.

The Board of Directors delegates the authority and responsibility for the development, approval, implementation, and ongoing administration of the Employee Handbook to the Executive Director, in consultation with legal counsel. The Employee Handbook shall be reviewed at least annually to ensure continued relevance and compliance, and any updates shall be reported to the Board of Directors on a quarterly basis.

~~The Board shall adopt policies necessary for the safe and efficient operation of the facility and to comply with federal, state, and local laws and regulations.~~

~~The SDSTA staff shall establish, implement and maintain procedures in compliance with Board approved policies. Such procedures shall be consistent with the intent of the Board policies and approved by the Executive Director.~~

Copies of all Employee Handbook policies ~~and procedures~~ shall be readily available to SDSTA personnel.



**Procedure for Public Comment Periods and Form Policy** updated and renamed as **"Public Comment Policy"**

~~Procedure for~~ Public Comment Policy and Form:~~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.

Adopted June 28, 2018

Full Name:

City of Residence:

General Subject Matter of Comments:

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Members of the South Dakota Science and Technology Authority (SDSTA) Board of Directors shall be reimbursed for travel expenses at rates established by the South Dakota Board of Finance for attendance at SDSTA events, conferences, or Board meetings per the following guidelines.

These procedures establish guidelines for the reimbursement of travel-related expenses by members of the South Dakota Science and Technology Authority (SDSTA) Board of Directors.

#### **A. Transportation**

Members of the SDSTA Board of Directors will be paid mileage at the rate established by the South Dakota Board of Finance for attendance at SDSTA events, conferences, or Board meetings.

When traveling by air, reservations for the least expensive seating option shall be made two (2) weeks in advance, unless waived by the Executive Director, and charged directly to SDSTA. Reservations shall be made through the SDSTA-recommended travel agency by SDSTA or by the Board member.

Should taxis, shuttles, or rental cars be used for transportation between the airport and the final destination hotel or meeting site, receipts will be required for reimbursement. A regular-sized vehicle is adequate for business travel; insurance protections/coverages offered when renting a vehicle should be declined as SDSTA will not reimburse for this expense.

#### **B. Lodging**

Lodging reservations for Board members shall be made by SDSTA, unless waived by the Executive Director.

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

#### **C. Meals**

SDSTA Board members shall be reimbursed for meals at the rates and upon the terms established from time-to-time by the South Dakota Board of Finance.

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

SDSTA will not reimburse for alcoholic beverages under any circumstances.

Every effort will be made to keep the cost for meals provided by SDSTA during SDSTA events, conferences, or Board meetings at the rate that would be allowed on the State-approved per diem basis. The Executive Director is charged with minimizing the costs as much as possible.

#### **D. Reimbursement**

SDSTA Board members must submit a Board Travel Reimbursement form and the required documentation for any transportation, lodging, meals, and related expenses incurred and paid by the Board member, to receive reimbursement.

**Approval of FY2026 IGA—Mr. Mike Headley**

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Approval of FY2026 Office of Risk Management Intergovernmental Agreement.

*(See suggested motion below.)*

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**Recommended Action:**

*11. Motion to approve FY2026 Intergovernmental Agreement between the Bureau of Administration, Office of Risk Management of the State of SD and SDSTA and authorize the SDSTA Executive Director to sign the agreement.*



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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 1<sup>st</sup> day of July, 202~~5~~<sup>4</sup>, between the South Dakota Bureau of Human Resources and 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”)<sup>1</sup>. 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 1926<sup>2</sup> and 29 CFR 1910<sup>3</sup> 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 CFR<sup>4</sup> standards are employed (see ~~a~~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.

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<sup>1</sup> 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).

<sup>2</sup> Title 29 Code of Federal Regulations Part 1926, “Safety and Health Regulations for Construction”

<sup>3</sup> Title 29 Code of Federal Regulations Part 1910, “Occupational Safety and Health Standards”

<sup>4</sup> Title 30 Code of Federal Regulations Parts 15, 49, and 57”

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 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 ~~that~~<sup>which</sup> 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.~~
- ~~7.6.~~ Provide enforcement of the safety standards made applicable to SDSTA's facilities by this Agreement.
- ~~8.7.~~ Identify safety and risk exposures and take appropriate steps to address such safety and risk exposures.
- ~~9.8.~~ Provide copies of the results of safety or compliance reviews, inspections, or audits to SDSTA upon completion.
- ~~10.9.~~ 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.
2. Perform all activities at SURF in a safe and environmentally sound manner.
3. Pursuant to Section 6.7 of the Property Donation Agreement<sup>5</sup> 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. 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 has~~ve sole authority to select, negotiate, and bind insurance coverage.

<sup>5</sup> 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.

7. 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.
8. Provide ORM with a schedule of any outside inspections and calendar events reasonably in advance.
9. 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 a 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 is 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 with 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-five (45) days of receipt of the 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, 2024, through June 30, 2025.

#### 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                      Date  
Executive Director  
South Dakota Science and Technology  
Authority

\_\_\_\_\_  
Darin Seeley                      Date  
Commissioner  
Bureau of Human Resources and  
Administration  
State of South Dakota

## ~~Appendix A—Codes and Standards~~

### Appendix A - SURF Occupational Safety and Health Standards

SUBJECT	REFERENCE
Asbestos	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.1001</li> <li>• SD Administrative Rule 74:36:08 (<u>40 C.F.R. § 61, Subpart M</u>)</li> </ul>
Biosafety	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>Centers for Disease Control (CDC) Guidelines</u></li> </ul>
Bloodborne Pathogens	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.1030</li> <li>• <u>29 CFR 1910.20</u></li> </ul>
Compressed Gases	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.101, Subpart H</li> <li>• <u>29 CFR 1910.1000, Subpart Z (Permissible Exposure Limits)</u></li> <li>• <u>29 CFR 1910.1200 Hazard Communication Standard for General Industry</u></li> <li>• <u>29 CFR 1910.1450 (Occupational Exposure to Hazardous Chemicals in Laboratories)</u></li> <li>• <u>OSHA General Industry Standards, Permissible Exposure Limits</u></li> <li>• <u>OSHA General Industry Standards, Hazard Communication</u></li> <li>• <u>OSHA General Industry Standards, Occupational Exposure to Hazardous Chemicals in Laboratories</u></li> </ul>
Confined Spaces	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.146</li> </ul>
<del>Control of Hazardous Energy</del> / Lock Out Tag Out	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.147</li> <li>• 29 CFR 1910.269</li> <li>• <del>29 CFR 1926.46</del></li> <li>• 29 CFR 1926.417</li> <li>• NFPA 70</li> <li>• NFPA 70E</li> </ul>
Cranes and Hoists ( <i>excluding underground conveyances</i> )	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910, Subpart N</li> <li>• 29 CFR 1926, Subpart N</li> <li>• <u>29 CFR 1926.1431(k)-(o)</u></li> </ul>

SUBJECT	REFERENCE
Cryogenic Systems	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <a href="#">ASME B31.3, Pressurized Process Piping</a></li> </ul>
Diesel Particulate Matter (DPM)	<ul style="list-style-type: none"> <li>• 30 CFR 57.5060 – .5075</li> </ul>
Disablement or Impairment of Critical Safety Equipment	<ul style="list-style-type: none"> <li>• ESH Manual</li> </ul>
Electrical Safety	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• NFPA 70 E</li> <li>• 29 CFR 1910, Subpart S</li> <li>• <a href="#">29 CFR 1926, Subpart K</a></li> <li>• <a href="#">29 CFR 1910.7</a></li> <li>• <a href="#">29 CFR 1910.132</a></li> <li>• <a href="#">29 CFR 1910.137</a></li> <li>• <a href="#">29 CFR 1910.269</a></li> <li>• <a href="#">South Dakota (SD) Electrical Commission, SD Codified Law Chapter 36-16 and Article 20:44</a></li> <li>• NFPA 70 B</li> <li>• NFPA 101, Life Safety Code</li> <li>• Department of Energy (DOE) 10 CFR Ch. III Part 851, Work Safety and Health Program</li> </ul>
Emergency Eyewash and Shower Equipment	<ul style="list-style-type: none"> <li>• 29 CFR 1910.151 (c)</li> </ul>
Emergency Management	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• National Incident Management System</li> <li>• 30 CFR 57.11050 - .11059</li> <li>• 29 CFR 1910.38(a)</li> </ul>
Emergency Response Team	<ul style="list-style-type: none"> <li>• 30 CFR 49, Subpart A</li> <li>• NFPA 2500 – Rope and Equipment</li> </ul>
<a href="#">Environment, Safety, and Health Concerns</a>	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">Office of Risk Management Notice</a></li> </ul>
ESH Training	<ul style="list-style-type: none"> <li>• ESH Manual</li> </ul>
Explosive Materials Management	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 27 CFR 555</li> <li>• <a href="#">29 CFR 1926.901</a></li> <li>• 29 CFR 1910, Subpart N</li> <li>• 29 CFR 1926, Subpart U</li> <li>• 29 CFR 1926.800 (p) (1,2)</li> <li>• 29 CFR 1910.109</li> <li>• 30 CFR 15</li> <li>• 30 CFR 57, Subpart E</li> <li>• ATF Form 5400.14/5400.15 Part I</li> </ul>

SUBJECT	REFERENCE
	<ul style="list-style-type: none"> <li>• DOE-STD-1212-2012 (content evaluated for ATF equivalency)</li> <li>• 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</li> <li>• <del>State of South Dakota Explosives Permit</del></li> <li>• <del>South Dakota Department of Public Safety Office of State Fire Marshal Explosives Permit</del></li> </ul>
Facility Access	<ul style="list-style-type: none"> <li>• <del>SURF Environment, Safety, and Health (ESH)</del> ESH Manual</li> </ul>
Fall Protection and Prevention	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910, Subpart D</li> <li>• 29 CFR 1910, Subpart F</li> <li>• 29 CFR 1910, Subpart I</li> <li>• 29 CFR 1926, Subpart M</li> <li>• 29 CFR 1926, Subpart L</li> <li>• 29 CFR 1926, Subpart X</li> </ul>
Fatigue Management	<ul style="list-style-type: none"> <li>• <del>ESH Manual</del></li> </ul>
Fire Prevention & Protection	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.39</li> <li>• 29 CFR 1926, Subpart F</li> <li>• International Building Code (IBC) 2009</li> <li>• International Fire Code (IFC) 2009</li> <li>• National Fire Protection Association (NFPA) National Fire Codes and Standards</li> <li>• 30 CFR, Mine Safety Regulations (MSHA), Selected Subchapters</li> </ul>
Ground Control	<ul style="list-style-type: none"> <li>• 30 CFR 57.3200 – .3401</li> </ul>
Guide and Guide Training	<ul style="list-style-type: none"> <li>• ESH Manual</li> </ul>
Hazard Communication <del>s</del>	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <del>26 CFR 1926.59</del></li> <li>• 29 CFR 1910.1200</li> <li>• 29 CFR 1910.1450</li> <li>• NFPA 704</li> </ul>
Hearing Conservation	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.0095</li> <li>• <u>30 CFR Part 62</u></li> </ul>

SUBJECT	REFERENCE
Hoists and Shafts <i>(includes personnel hoisting, underground conveyances, wire ropes, inspection, maintenance, etc.)</i>  <u>Hoist Operators Physical Fitness</u>	<ul style="list-style-type: none"> <li>• <u>30 CFR 57.1900 - .1934</u></li> <li>• <u>30 CFR 56.19057</u></li> </ul>
Hot Work	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910, Subpart Q</li> </ul>
Illumination	<ul style="list-style-type: none"> <li>• <u>29 CFR 1926.56(a)</u></li> <li>• <u>30 CFR 57 Subpart P</u></li> </ul>
Incident <u>Reporting and Investigation Management</u>	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1904.4-1904.10</u></li> </ul>
Industrial Hygiene	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>40 CFR 61, Subpart M</u></li> <li>• <u>29 CFR 1910.1000</u></li> <li>• <u>29 CFR 1910.141(b) (1)</u></li> <li>• <u>29 CFR 1926.51(a)</u></li> </ul>
Lead (Pb)	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1910.1025</u></li> <li>• <u>29 CFR 1910.1000</u></li> <li>• <u>29 CFR 1926.62</u></li> </ul>
Machine Safeguarding	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.212</li> <li>• 29 CFR 1910.215, Subpart O</li> <li>• 29 CFR 1926.404(b)(1)(i)</li> </ul>
Materials Handling and Storage	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910, Subpart N</li> </ul>
Oxygen Deficiency Hazards (ODH)	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Personal Protective Equipment (PPE)	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1910, Subpart I</u></li> </ul>
Powered Industrial Trucks (PITs)	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1910.178</u></li> </ul>
Radiation Safety	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• Nuclear Regulatory Commission: <u>10 CFR Chapter I</u></li> <li>• 29 CFR 1910.1096</li> <li>• 49 CFR 173, <u>Subpart I</u></li> <li>• <u>30 CFR 57, Subpart D</u></li> </ul>

SUBJECT	REFERENCE
Respirable Crystalline Silica	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1910.1053</u></li> </ul>
Respiratory Protection	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.0134</li> <li>• 29 CFR 1910.1020</li> <li>• <u>30 CFR 57.15030</u></li> <li>• <u>30 CFR 49.6</u></li> <li>• <u>ANSI/ASSE Z88.2-2015</u></li> </ul>
<u>Safeguard and Security</u>	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Severe Weather Management	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• NFPA-780</li> <li>• <u>National Weather Service</u></li> </ul>
Slings, Rigging, and Below-the-Hook Devices	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• CFR 29 1910.179, .184</li> <li>• <u>CFR 29 1926.251, .753</u></li> </ul>
Stairways	<ul style="list-style-type: none"> <li>• <u>29 CFR 1926, Subpart X</u></li> </ul>
Stop Work	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Transportation Safety	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• South Dakota Codified Laws, Title 32, Motor Vehicles</li> <li>• 49 CFR 40</li> <li>• 49 CFR 382</li> <li>• 29 CFR 1926.600</li> <li>• 29 CFR 1926.800</li> <li>• <u>30 CFR, 56.14207 &amp; 57.14207</u></li> </ul>
Trenching and Excavation	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1926.650 – .652</u></li> </ul>
Emergency Response Team	<ul style="list-style-type: none"> <li>• 30 CFR 49, Subpart A</li> <li>• <u>NFPA 2500 – Rope and Equipment</u></li> </ul>
<u>Environment, Safety, and Health Concerns</u>	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> <li>• <u>Office of Risk Management Notice</u></li> </ul>
ESH Training	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Explosive Materials Management	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 27 CFR 555</li> <li>• <u>29 CFR 1926.901</u></li> <li>• 29 CFR 1910, Subpart N</li> <li>• 29 CFR 1926, Subpart U</li> </ul>

SUBJECT	REFERENCE
	<ul style="list-style-type: none"> <li>• 29 CFR 1926.800 (p) (1,2)</li> <li>• 29 CFR 1910.109</li> <li>• 30 CFR 15</li> <li>• 30 CFR 57, Subpart E</li> <li>• ATF Form 5400.14/5400.15 Part I</li> <li>• DOE-STD-1212-2012 (content evaluated for ATF equivalency)</li> <li>— 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-J</li> <li>— <u>State of South Dakota Explosives Permit</u></li> <li>• <u>South Dakota Department of Public Safety Office of State Fire Marshal Explosives Permit</u></li> </ul>
Facility Access	<ul style="list-style-type: none"> <li>• <u>SURF Environment, Safety, and Health (ESH) ESH Manual</u></li> </ul>
Fall Protection and Prevention	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910, Subpart D</li> <li>• 29 CFR 1910, Subpart F</li> <li>• 29 CFR 1910, Subpart I</li> <li>• 29 CFR 1926, Subpart M</li> <li>• <u>29 CFR 1926, Subpart L</u></li> <li>• —</li> <li>• <u>29 CFR 1926, Subpart X</u></li> </ul>
Fatigue Management	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Fire Prevention & Protection	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.39</li> <li>• 29 CFR 1926, Subpart F</li> <li>• International Building Code (IBC) 2009</li> <li>• International Fire Code (IFC) 2009</li> <li>• National Fire Protection Association (NFPA) National Fire Codes and Standards</li> <li>• <u>30 CFR, Mine Safety Regulations (MSHA), Selected Subchapters</u></li> </ul>
Ground Control	<ul style="list-style-type: none"> <li>• <u>30 CFR 57.3200 – .3401</u></li> </ul>
Guide and Guide Training	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Hazard Communication <sup>s</sup>	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>26 CFR 1926.59</u></li> <li>• 29 CFR 1910.1200</li> <li>• 29 CFR 1910.1450</li> </ul>



SUBJECT	REFERENCE
	<ul style="list-style-type: none"> <li>• <a href="#">NFPA 704</a></li> </ul>
Hearing Conservation	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910.0095</a></li> <li>• <a href="#">30 CFR Part 62</a></li> </ul>
Hoists and Shafts <i>(includes personnel hoisting, underground conveyances, wire ropes, inspection, maintenance, etc.)</i>  <a href="#">Hoist Operators Physical Fitness</a>	<ul style="list-style-type: none"> <li>• <a href="#">30 CFR 57.1900 - .1934</a></li> <li>• <a href="#">30 CFR 56.19057</a></li> </ul>
Hot Work	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910, Subpart Q</a></li> </ul>
Illumination	<ul style="list-style-type: none"> <li>• <a href="#">29 CFR 1926.56(a)</a></li> <li>• <a href="#">30 CFR 57 Subpart P</a></li> </ul>
Incident <del>Reporting and Investigation</del> <a href="#">Management</a>	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1904.4-1904.10</a></li> </ul>
Industrial Hygiene	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">40 CFR 61, Subpart M</a></li> <li>• <a href="#">29 CFR 1910.1000</a></li> <li>• <a href="#">29 CFR 1910.141(b) (1)</a></li> <li>• <a href="#">29 CFR 1926.51(a)</a></li> </ul>
Lead (Pb)	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910.1025</a></li> <li>• <a href="#">29 CFR 1910.1000</a></li> <li>• <a href="#">29 CFR 1926.62</a></li> </ul>
Machine Safeguarding	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910.212</a></li> <li>• <a href="#">29 CFR 1910.215, Subpart O</a></li> <li>• <a href="#">29 CFR 1926.404(b)(1)(i)</a></li> </ul>
Materials Handling and Storage	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910, Subpart N</a></li> </ul>
Oxygen Deficiency Hazards (ODH)	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> </ul>
Personal Protective Equipment (PPE)	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910, Subpart I</a></li> </ul>
Powered Industrial Trucks (PITs)	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">29 CFR 1910.178</a></li> </ul>
Radiation Safety	<ul style="list-style-type: none"> <li>• <a href="#">ESH Manual</a></li> <li>• <a href="#">Nuclear Regulatory Commission: <a href="#">10 CFR Chapter I</a></a></li> </ul>

SUBJECT	REFERENCE
	<ul style="list-style-type: none"> <li>• 29 CFR 1910.1096</li> <li>• 49 CFR 173, <u>Subpart I</u></li> <li>• <u>30 CFR 57, Subpart D</u></li> </ul>
Respirable Crystalline Silica	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1910.1053</u></li> </ul>
Respiratory Protection	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• 29 CFR 1910.0134</li> <li>• 29 CFR 1910.1020</li> <li>• <u>30 CFR 57.15030</u></li> <li>• <u>30 CFR 49.6</u></li> <li>• <u>ANSI/ASSE Z88.2-2015</u></li> </ul>
<u>Safeguard and Security</u>	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Severe Weather Management	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• NFPA-780</li> <li>• <u>National Weather Service</u></li> </ul>
Slings, Rigging, and Below-the-Hook Devices	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• CFR 29 1910.179, .184</li> <li>• <u>CFR 29 1926.251, .753</u></li> </ul>
Stairways	<ul style="list-style-type: none"> <li>• <u>29 CFR 1926, Subpart X</u></li> </ul>
Stop Work	<ul style="list-style-type: none"> <li>• <u>ESH Manual</u></li> </ul>
Transportation Safety	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• South Dakota Codified Laws, Title 32, Motor Vehicles</li> <li>• 49 CFR 40</li> <li>• 49 CFR 382</li> <li>• 29 CFR 1926.600</li> <li>• 29 CFR 1926.800</li> <li>• <u>30 CFR, 56.14207 &amp; 57.14207</u></li> </ul>
Trenching and Excavation	<ul style="list-style-type: none"> <li>• ESH Manual</li> <li>• <u>29 CFR 1926.650 – .652</u></li> </ul>
Underground <u>C</u> onstruction	<ul style="list-style-type: none"> <li>• SDSTA Underground Construction Materials &amp; Practices Design Standard</li> <li>• 30 CFR Part 57, Subpart C</li> <li>• <u>NFPA 520 Subterranean Spaces</u></li> </ul>
Ventilation	<ul style="list-style-type: none"> <li>• SDSTA Ventilation Standard</li> <li>• 30 CFR 57.22212 – .2222<u>59</u>, <u>30 CFR 57.22227 (b)</u></li> <li>• 30 CFR 57.<u>5060,5061,5071-8518—8535</u></li> </ul>

SUBJECT	REFERENCE
	<ul style="list-style-type: none"> <li>6. <del>29 CFR 1926.800(K)</del></li> <li>• <del>40 CFR 89.112</del></li> </ul>
Work Planning Control	<ul style="list-style-type: none"> <li>• <del>ESH Manual</del></li> </ul>

## 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 & ~~and~~ Technology (NIST)
- Underwriters Laboratories, Inc. (UL)

## 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	\$ 76.03
State Risk Manager	\$ 52.77
Risk Analyst	\$ 42.91
Risk Analyst	\$ 47.20
Risk Analyst	\$ 41.86
Risk Analyst	\$ 39.31
Risk Analyst	\$ 39.15
Administrative Assistant	\$ 26.75
Legal Counsel	\$ 63.69

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.

**Report from Nominating Committee—Vice Chairperson Dana Dykhouse**

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**Nominating Committee Report**

June 3, 2025

**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 2025-2026 board year. The slate of officers is as follows:

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

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**Recommended Action:**

Slate of officers recommended:

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

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**Election of Officers—Chairperson Casey Peterson**

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*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.

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**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 20, 2024 board meeting.*

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**Executive Session—Chairperson Casey Peterson**

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Meeting closed to public during executive session.

*See recommended motion below.*

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**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**

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*See recommended motion below.*

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**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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**Confirm date and time of next meeting—Chairperson Casey Peterson**

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The next board meeting will be held on Thursday, September 18, 2025, beginning at 8:00 a.m. (Mountain Time).

Ask to confirm a quorum.

<b>2025 Regular Quarterly Board Meeting Schedule 8:00 AM (Mountain Time)</b>
Thursday, March 20
Thursday, June 26—Annual Mtg
Thursday, September 18
Thursday, December 11

*South Dakota Science and Technology Authority / Sanford Underground Research Facility  
630 E. Summit Street*

*Lead, SD 57754*

*Questions? Contact Mandy Knight, [mknight@sanfordlab.org](mailto:mknight@sanfordlab.org)*

*Direct Line: 605.722.4022, Mobile: 605.641.0475*

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**Recommended Action:**  
*Informational.*



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**Public Comments—Chairperson Casey Peterson**

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- Reminder to ask guests who did not identify themselves at the beginning of the meeting to do so at this time.
- Discuss any public comment request forms submitted.

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**Board Comments—Chairperson Casey Peterson**

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1. Dr. Ani Aprahamian
2. Mr. Dana Dykhouse, Vice-Chairperson
3. Dr. Chris Fall
4. Ms. Pat Lebrun, Secretary-Treasurer
5. Mr. Roger Musick
6. Mr. Ron Wheeler
7. BHSU Pres. Steve Elliott, ex officio member
8. SD Mines Pres. Jim Rankin, ex officio member
9. Mr. Casey Peterson, Chairperson

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**Recommended Action:**  
*Informational.*

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**Adjourn—Chairperson Casey Peterson**

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*See recommended motion below.*

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**Recommended Action:**

*Motion to adjourn.*

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