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## TSRIA NEWS

### August 2015

## TSRIA 2015 Annual Meeting Registration Now Open

The 2015 Treasure State Resource Industry Association Meeting will be held September 22-23, 2015 at the Lodge at Whitefish Lake. Golfers can look forward to a great day outdoors on Tuesday, September 22<sup>nd</sup>. That evening everyone will enjoy plenty of in-person “social networking” time. Then get ready for a full day of exploring the key issues impacting Montana’s economy and natural resource development. TSRIA’s annual membership meeting will be held at 8:00 am on Wednesday, September 23, 2015. Program topics will include updates on Sage Grouse, the new rule defining the “waters of the United States” and the Clean Power Plan. **Room reservations can now be made for the meeting and members are encouraged to contact the hotel as soon as possible to ensure the best selection and rate. Our room block expires Friday, August 21<sup>st</sup>.**

Contact a group reservations specialist at 877-887-4026, extension 4013, or by email at [groups@lodgeatwhitefishlake.com](mailto:groups@lodgeatwhitefishlake.com). Please be sure to mention you are with the **Treasure State Resource Industry Association**. Rooms are available in both the Viking Lodge and the Main Lodge depending on your needs. Guests may also use the online booking system for groups at <http://www.lodgeatwhitefishlake.com/weddings-groups/group-reservations/>. GROUP ID: TSRIA15 PASSWORD: 2015MEETING.

A limited number of rooms have been set aside on Monday, September 21 for those planning to participate in TSRIA’s annual golf scramble scheduled to begin at 9:00 am on Tuesday, September 22 at the Northern Pines Golf Club. Contact Peggy Trenk at [ptrenk@tsria.net](mailto:ptrenk@tsria.net) for more registration information details.

## Interior Dept. Announces Listening Sessions on Federal Coal Program

**Contacts:** Jessica Kershaw, [Interior\\_Press@ios.doi.gov](mailto:Interior_Press@ios.doi.gov)  
July 9, 2015

*Bureau of Land Management seeking information to help ensure fair return to American taxpayers and improved stewardship of coal resources*

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The mission of the Treasure State Resource Industry Association is to establish and maintain coalitions to promote and advocate for responsible natural resource development and reasonable environmental regulation in Montana.

**WASHINGTON** – U.S. Secretary of the Interior Sally Jewell announced today that the Bureau of Land Management (BLM) will host a series of listening sessions on the federal coal program. The discussions will seek information from the public about how the BLM can best carry out its responsibility to ensure that American taxpayers receive a fair return on the coal resources managed by the federal government on their behalf.

Jewell first called for a dialogue on the issue in remarks at the Center for Strategic and International Studies earlier this year.

“As I’ve said, it’s important to have an honest and open conversation about modernizing the federal government’s coal program,” said Jewell. “I have heard many concerns about how the federal government leases coal, the amount of royalty charged and whether taxpayers are getting a fair return from public resources. These listening sessions are an opportunity to better understand how taxpayers, stakeholders and local communities perceive the federal government’s coal program today and how we can improve and strengthen it for future generations.”

The BLM will host listening sessions in Washington, D.C., Colorado, New Mexico, Montana and Wyoming designed to further robust discussions about reforms to the federal coal program, including potentially raising the royalty rate applied. The BLM currently manages 310 active coal leases covering about 475,000 acres in 10 states. Roughly 40 percent of the coal produced in the United States comes from federal coal resources.

Additional information on the listening sessions follows:

July 29, 2015, 1:00-4:00 pm EST. Washington, D.C.: South Interior Building Auditorium, 1951 Constitution Ave, NW, Washington, D.C. 2024

August 11, 2015, 1:00-4:00 pm MST. Billings, MT: Hampton Inn, Lewis and Clark Conference Center, 5110 Southgate Drive, Billings, MT 59101

August 13, 2015, 1:00-4:00 pm MST. Gillette, WY: Campbell County Library, 2101 4-J Road, Gillette, WY 82718

August 18, 2015, 1:00 -4:00 pm MST. Denver, Colorado: Marriott Denver West, 1717 Denver West Blvd, Golden, CO 80401

August 20, 2015, 1:00-4:00 pm MST. Farmington, NM: Courtyard Marriott, 560 Scott Avenue, Farmington, NM 87401

The meetings in Washington, D.C. and Denver will have a livestream option for people to participate remotely. The meetings can be accessed at [www.blm.gov/live](http://www.blm.gov/live).

## **REMINDER – Energy Jobs Rally Scheduled Prior to Billings Listening Session on August 11th**

An energy jobs rally is scheduled for 11:00 am on August 11<sup>th</sup> at the Sportsplex in Billings, MT. Attend and learn more about how an increase in the royalty tax rate on federal coal produced in Montana would impact jobs and our economy. The Sportsplex is located adjacent to the Hampton Inn at 5000 Southgate Drive in Billings. Lunch will be provided for attendees. The DOI Listening Session begins at 1:00 pm at the Hampton Inn. The rally is sponsored by Westmoreland Coal Company, Cloud Peak Energy, Signal Peak Energy and Count on Coal Montana.

# Obama Administration Takes Historic Action on Climate Change/Clean Power Plan to protect public health, spur clean energy investments and strengthen U.S. leadership

Release Date: 08/03/2015

Contact Information: (News Media in EPA Regions 6-10:

AK,AR,CO,IA,ID,KS,LA,MO,MT,ND,NE,NM,OK,OR,SD,TX,UT,WA,WY) [stclair.christie@epa.gov](mailto:stclair.christie@epa.gov) (202) 564-2880

President Obama announced the U.S. Environmental Protection Agency's final [Clean Power Plan](#) today, which will cut U.S. carbon pollution from the power sector by 870 million tons, or 32 percent below 2005 levels, in 2030. Power plants are the largest drivers of climate change in the United States, accounting for roughly one-third of all carbon pollution emissions, but there were no national limits on carbon pollution until today.

The Clean Power Plan accelerates the transition to a clean energy future, which is happening even faster than expected – which means carbon and air pollution are already decreasing, improving public health year by year. By 2030, the plan will cut carbon pollution from the power sector by nearly a third and additional reductions will come from pollutants that can create dangerous soot and smog, translating to significant health benefits for the American people. By 2030, emissions of sulfur dioxide from power plants will be 90 percent lower and emissions of nitrogen oxides will be 72 percent lower, compared to 2005 levels. Americans will avoid up to 90,000 asthma attacks and spend up to 300,000 more days in the office or the classroom, instead of sick at home. And up to 3,600 families will be spared the grief of losing a loved one too soon.

“We’re proud to finalize our historic Clean Power Plan. It will give our kids and grandkids the cleaner, safer future they deserve. The United States is leading by example today, showing the world that climate action is an incredible economic opportunity to build a stronger foundation for growth,” said EPA Administrator Gina McCarthy. “The valuable feedback we received means the final Clean Power Plan is more ambitious yet more achievable, so states can customize plans to achieve their goals in ways that make sense for their communities, businesses and utilities.”

EPA’s plan reflects unprecedented public input, including more than 4.3 million public comments on the proposal, and hundreds of meetings with stakeholders. It works by building on strategies states and businesses are already using. Today, the United States uses three times more wind and 20 times more solar energy than it did in 2009, and the solar industry added jobs 10 times faster than the rest of the economy. It safeguards energy reliability by setting common-sense, achievable state-by-state goals that build on a rapidly growing clean energy economy and gives states and utilities the time and flexibility they need to meet their goals.

The final rule establishes guidelines for states to follow in developing and implementing their plans, including requirements that vulnerable communities have a seat at the table with other stakeholders. EPA is proposing a model rule states can adopt, as well as a federal plan that the EPA will put in place if a state fails to submit an adequate plan. Both the proposed model rule and federal plan focus on emissions trading mechanisms to make sure utilities have broad flexibility to reach their carbon pollution reduction goals. EPA also finalized standards to limit carbon pollution from new, modified and reconstructed power plants.

Final rule, fact sheets and details about the Clean Power Plan, the final standards for new, modified and reconstructed sources and the proposed federal plan are available at: <http://www2.epa.gov/cleanpowerplan>

# ACCCE Applauds Markup of Legislation Providing Increased Oversight of EPA

August 5, 2015

**Washington, D.C.** — The American Coalition for Clean Coal Electricity praises Senator Shelley Moore Capito for advancing the Affordable Reliable Energy Now Act which will provide stricter oversight of the Environmental Protection Agency. This morning's Senate Environment and Public Works Committee's Clean Air and Nuclear Safety Subcommittee markup of the legislation comes in the wake of EPA finalizing illegal and exorbitantly expensive carbon regulations.

"It's encouraging to see senators stepping up to protect American households and businesses from EPA's costly power plan that will all but ensure skyrocketing electricity prices," said Mike Duncan, president and CEO of ACCCE. "If left unchecked, EPA's carbon regulations will hit fixed and low-income families especially hard, forcing tough decisions about which bills to pay."

The bill's markup comes at the same time as a [report](#) from the Senate Environment and Public Works Committee detailing emails and other dialogue between EPA and the Natural Resources Defense Council regarding the Clean Power Plan. The report highlights collusion between special interest groups and the agency.

"As the origins of the President's legacy building become clearer, we need greater oversight of the EPA now more than ever. This markup is the first step in advancing needed legislation to improve EPA's accountability to Congress and the American public," Duncan said.

*Release reproduced from ACCCE Website*

## MT DEQ Accepting Public Comment on Draft Wastewater Discharge Permits for Stillwater Mining

By, Lisa Peterson, MDEQ

July 31, 2015

The Montana Department of Environmental Quality is accepting public comments on draft Montana Pollutant Discharge Elimination System (MPDES) permits for the Stillwater Mining Company's Stillwater and East Boulder Mines.

The first updates the existing permit for the East Boulder Mine located near Big Timber. The update authorizes discharge of treated adit water, which is ground water that has infiltrated the underground mine workings, either directly to the East Boulder River or to ground water associated with the East Boulder River. It also authorizes treated sanitary sewer discharge from the domestic septic drainfield.

The draft permit includes technology-based and water quality-based effluent limits to prevent degradation of the East Boulder River. Monitoring, Best Management Practices, and a wastewater optimization study are also required in the draft permit.

The second draft permit updates the existing permit for the Stillwater Mine located near Nye. The permit covers the discharge of mine drainage water to the Stillwater River from the Stillwater Mine. The water is treated to remove total suspended solids and reduce nitrogen concentrations. The permit includes one as yet unconstructed outfall for discharge directly to the Stillwater River and two discharges to ground water and the Stillwater River via percolation ponds.

These new limits include technology-based effluent limits for pH and total suspended solids, and water quality-based limits for aluminum, cadmium, copper, iron, lead, mercury, nickel, silver, zinc, nitrate plus nitrate, and ammonia.

DEQ has prepared the draft wastewater discharge permits, fact sheets, environmental assessments and the department's tentative determinations. The documents are available on the DEQ website at [www.deq.mt.gov/notices/WQnotices.mcp](http://www.deq.mt.gov/notices/WQnotices.mcp) and at the DEQ Metcalf Building in Helena.

The deadline for submitting comment is September 2, 2015. DEQ will accept requests for a public hearing during the public comment period. A request must be in writing and state the nature of the issue to be raised.

Comments should be sent to: DEQ Permitting and Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620 or by email to: [DEQWPBPublicComments@mt.gov](mailto:DEQWPBPublicComments@mt.gov)

## MT DEQ Accepting Public Comments on a Draft Wastewater Discharge Permit for Montanore Mine

By, Lisa Peterson, MTDEQ

July 31, 2015

The Montana Department of Environmental Quality is accepting public comment on a draft wastewater permit for Montanore Mineral's Montanore Project. Montanore has proposed to construct and operate an underground copper and silver mine located near Libby in Lincoln County.

The draft permit updates the existing Montana Pollutant Discharge Elimination System (MPDES) permit for the Montanore Project. This update covers the discharge of treated adit water at three existing outfalls and four new storm water-only outfalls. It incorporates technology-based and water quality-based effluent limits to ensure the limits do not cause degradation of high quality waters. The draft permit also requires Montanore to develop and maintain a Storm Water Pollution Prevention Plan.

The DEQ has prepared the draft wastewater discharge permit, fact sheet, and the department's tentative determination. The documents are available on the DEQ website at [www.deq.mt.gov/notices/WQnotices.mcp](http://www.deq.mt.gov/notices/WQnotices.mcp) and at the DEQ Metcalf Building in Helena.

The DEQ will hold a public hearing to accept comments on the draft permit on August 31, 2015 beginning at 6:00 p.m. in the Ponderosa Room of the Libby City Hall located at 952 East Spruce Street in Libby. Please note: the hearing will be strictly limited to accepting comment. There will be no question and answer period.

The deadline for comment is September 2, 2015. Comments should be sent to: DEQ Permitting and Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT. 59620, or by email to: [DEQWPBPublicComments@mt.gov](mailto:DEQWPBPublicComments@mt.gov)

The State of Montana makes reasonable accommodations for any known disability that may interfere with a person's ability to participate in state government. Persons needing an accommodation should notify Jenna Stamper at 406-444-3080 no later than August 15, 2015, to allow time to make needed arrangements.

## DEQ Accepting Public Comments on Draft Wastewater Discharge Permits for Rock Creek Mine

By, Lisa Peterson, MTDEQ

July 31, 2015

The Montana Department of Environmental Quality is accepting public comment on draft wastewater permits for RC Resources' Rock Creek Mine and Rock Creek Road Project near Noxon.

RC Resources, Inc., has proposed to construct and operate an underground copper and silver mine located approximately five miles northeast of Noxon on the southern flanks of the Cabinet Mountains in Sanders County.

There are two Montana Pollutant Discharge Elimination System (MPDES) draft permits being considered. The first, MT-15-37, updates the existing Rock Creek Mine MPDES Permit. This update only covers industrial storm water discharge from the facility. It includes effluent limitations, monitoring requirements, and Best Management Practices. The draft permit also requires RC Resources to develop and maintain a Storm Water Pollution Prevention Plan and incorporates technology-based and water quality-based effluent limits to ensure the limits do not cause degradation of high quality waters.

The second, MT-15-38, addresses the initial construction phase before the start of exploratory mining. RC Resources has applied for an individual permit for the discharge of storm water related to construction of the adit, improvement of an eroding forest road, and installation of a pipeline and power line.

The DEQ has prepared the draft wastewater discharge permits, fact sheets, environmental assessments, and the department's tentative determinations. The documents are available on the DEQ website at: [www.deq.mt.gov/notices/WQnotices.mcp](http://www.deq.mt.gov/notices/WQnotices.mcp)

The DEQ will hold a public hearing to accept comment on the draft permits on September 1, 2015 from 5:00 to 7:30 p.m., at the Noxon School located at 300 Noxon Ave., in Noxon. Please note: There is no question and answer period included in this hearing. It is strictly to accept comment.

The deadline for comment is September 2, 2015. Comments should be sent to: DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620, or by email to: [DEQWPBPublicComments@mt.gov](mailto:DEQWPBPublicComments@mt.gov)

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# Water Policy Interim Committee to Discuss Controversial Federal Rule

A recent, contentious federal rule will likely be a focus of September's Water Policy Interim Committee meeting. During the two-day meeting, the committee will hear an update to a final federal rule defining "waters of the United States."

The Environmental Protection Agency and U.S. Army Corps of Engineers released a final rule defining the term in May. The rule is effective at the end of August. The EPA and Corps have said the rule was necessary to clarify part of the Clean Water Act, which had become difficult to administer due to two U.S. Supreme Court rulings. The new rule may affect how the Montana Department of Environmental Quality administers discharge permits and how the Corps administers section 404 permits, also known as dredge and fill permits. Opponents have said the rule is an illegal expansion of federal jurisdiction. Montana Attorney General Tim Fox joined 12 other states recently in suing the federal government over the rule. The discussion about the "waters of the United States" rule comes as the committee begins its study of how the state might assume the dredge and fill permitting program from the Corps.

At its September meeting, the committee will also:

- begin a study regarding the future of the Montana Water Court;
- receive an update on State Water Plan implementation; • receive an update on the legal status of exempt groundwater wells; and
- receive a report on future federal ammonia standards for wastewater treatment lagoons.

**Next Meeting** The WPIC next meets Sept. 2-3 in Room 172 of the Capitol in Helena. For more information on the committee's activities and upcoming meeting, visit the committee's website or contact Jason Mohr, committee staff.

**Committee Website:** [www.leg.mt.gov/water](http://www.leg.mt.gov/water) **Committee Staff:** [jasonmohr@mt.gov](mailto:jasonmohr@mt.gov) or 406-444-1640

*Information reproduced from The Interim Newsletter, August 2015*

## Interim Legislative Committee Schedule

Economic Affairs Committee – August 31 – September 1, 2015

Water Policy Interim Committee – September 2-3, 2015 in Helena

Environmental Quality Council – September 9-10, 2015 in Helena

Energy and Telecommunications Interim Committee – September 11, 2015 in Helena

Revenue and Transportation Committee – TBD – Likely October

## Upcoming Events/Dates

<b>August 11, 2015</b> Energy Jobs Rally – 11 am. Sportsplex – Billings, Mt
<b>August 19-21, 2015</b> Montana Contractors Association Summer Outing Hilton Garden Inn, Missoula
<b>September 1-2</b> MT Petroleum Association Annual Meeting Crowne Plaza Billings
<b>September 10-11</b> MT Wood Products Assoc. Annual Convention Hilton Garden Inn Missoula