



**IDAHO BOARD OF ENVIRONMENTAL QUALITY
MINUTES**

OCTOBER 18, 2000

The Board of Environmental Quality convened at 8:30 a.m. at:

Idaho Department of Environmental Quality
1410 North Hilton, Conference Room C
Boise, Idaho

ROLL CALL:

BOARD MEMBERS PRESENT:

Donald J. Chisholm, Chairman
Paul C. Agidius, Vice chairman
Marti Calabretta, Secretary
Dr. Joan Cloonan, Member
Dr. J. Randy MacMillan, Member
Nick Purdy, Member

BOARD MEMBERS ABSENT:

Senator Marguerite McLaughlin, Member

DEPARTMENT OF ENVIRONMENTAL QUALITY STAFF PRESENT:

C. Stephen Allred, Director
Jon Sandoval, Chief of Staff
Debra L. Cline, Administrative Assistant to the Board
Doug Conde, Deputy Attorney General, DEQ
Paula Gradwohl, Paralegal/rules coordinator
Susan Burke, Water Quality Program
Jess Byrne, Staff Resource Officer
Orville Green, Administrator State Air Quality program
Bill Jerrel, Water Quality Loan Program
Kate Kelly, Administrator, State Waste & Remediation Program
Larry Koenig, Administrator, State Planning & Special Projects
Lisa Kronberg, Deputy Attorney General, DEQ
David Mabe, Administrator, Water Quality Division
Marjorie MartzEmerson, Air Quality Permits

Chris Mebane, Surface Water Program
Tim Teater, Air Quality Program
Mike McIntyre, Surface Water Program Manager
Howard Woods, Drinking Water Program

OTHERS PRESENT:

Marti Bridges, Idaho Rivers United
Jane Gorsuch, Intermountain Forest Assn.
J. Dallas Gudgell, Idaho Conservation League
Senator Grant Ipsen, Idaho State Senate
Loren Jalbert, Harding ESE
Jack Lyman, Idaho mining Association
Betsy Russell, The Spokesman Review
Dave Schwarz, MSE
Lynn Tominaga, Idaho Water Users Association
Tom Turco, Central District Health Department
Craig Quintana, The Idaho Statesman
Paul Woods, Environmental Finance Center, BSU

AGENDA ITEM NO. 1 ADOPTION OF THE MINUTES OF THE AUGUST 31, 2000
BOARD MEETING

- **MOTION:** Dr. Randy MacMillan moved the minutes of the August 31, 2000 Board meeting be adopted with corrections to page 4, paragraph 4 (change perimeter to parameter; change biologic to biological)
SECOND: Paul Agidius
VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

AGENDA ITEM NO. 2 DIRECTOR'S REPORT

Director Steve Allred reported a new procedure will be used by the Department to respond to odor complaints and issues. A standard developed by the American Society of Testing Materials will be used. The process does not rely on the nuisance standard. The method has been used successfully in other states and has held up in court. The procedure is not a new regulation, it is a process that will be used to investigate and when necessary, enforce existing regulations. A public comment period was held, and the Department will begin using the procedure beginning October 20, 2000.

Director Allred discussed the potential need for a shorter term criteria for regulating open burning. The Department will be bringing a proposed process and probably an amendment to existing regulations to the Board. Language will be developed over the next month which will include a shortened time frame to trigger an air quality alert. The current standard is 24 hours; it may be reduced to as low as one hour.

The Department is in the process of finalizing its 2002 budget request. The budget will contain only modest increases and a couple supplemental requests. A supplemental appropriation will probably be used to reimburse the Title V fee fund for interest previously not paid by the state treasurer. Director Allred may also propose those funds be used for other purposes.

Director Allred discussed the clean up and environmental concerns on the Coeur d'Alene River. A state framework plan will be provided to the EPA. A public process is ongoing to advise the public of the alternatives and to determine how to go forward with the clean up plan. Legislation will be proposed to establish a locally based entity with national and regional representation that would allow decisions to be made by an entity other than DEQ or EPA. The entity would sustain a long-term effort (at least 30 years) to perform the remedial program. DEQ is heavily involved in negotiations to try to avoid the upcoming court hearings in January. They have made substantial progress and will continue to push for a resolution.

DEQ is currently involved in building a new management system within the agency that allows them to make proactive decisions about how work is managed. It involves an integrated system for recording time spent on end products, providing total cost accounting by end product and by effort. The financial information obtained on real time basis can be used to ensure that the activities the agency is actually doing are the ones that were prioritized and planned for. It has allowed the Department to transform from an agency mostly concerned with process, to an agency with a high visibility on producing the product and modifying the process to make it as effective as possible.

AGENDA ITEM NO. 3: DRINKING WATER PLANNING GRANT PROJECT PRIORITY LIST FOR FISCAL YEAR 2001

Alan Stanford presented the Drinking Water Planning Grant Project Priority List for Fiscal Year 2001. If approved, the list will allow DEQ to make grants as early as November 2000. The rules implementing the program were negotiated in June 2000 by stakeholders and adopted by the Board as temporary rules in July 2000.

➤ **MOTION:** Paul Agidius moved the Board approve the Drinking Water Planning Grant Project Priority List for Fiscal Year 2001 as presented.

SECOND: Joan Cloonan

DISCUSSION: Nick Purdy stated he would abstain from voting on this docket due to a conflict.

VOICE VOTE: Motion passed: 5 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin); 1 abstain (Nick Purdy).

AGENDA ITEM NO. 4 RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO, DOCKET NO. 58-0101-0001, PENDING RULE

Marjorie MartzEmerson, State Air Quality Permit Program, DEQ, presented the Rules for the Control of Air Pollution in Idaho for adoption. This rulemaking amends the exceptions from the requirement to obtain a Tier I operating permit by providing an option for small facilities to defer getting a permit for five years if they register and provide emissions inventory data. The rule also makes some minor typographical corrections and removes a reference to the

Department of Health and Welfare that is no longer needed since DEQ is now a separate Department.

- **MOTION:** Dr. Randy MacMillan moved the Board adopt, as pending rules, the rules for the Control of Air Pollution in Idaho as presented in the final proposal under Docket No. 58-0101-0001.

SECOND: Joan Cloonan

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

AGENDA ITEM NO. 5

RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO, DOCKET NO. 58-0101-9903, PENDING RULE

Orville Green, Administrator, State Air Quality Program, DEQ, presented the Rules for the Control of Air Pollution in Idaho, Docket No. 58-0101-9903. This rule provides an alternative to the process weight rate rule that controls mechanically generated dust and other pollutants with a "grain loading standard." The new standard is a much simpler and more straightforward way of measuring particulate emissions from facilities.

In June 2000 the Board of Health and Welfare adopted this rule as a temporary rule, which is currently effective. No public comment was received; however, changes have been made to Sections 700 and 710 to resolve issues that came to DEQ's attention since adoption of the temporary rule. The changes were needed to change the deadline for the process weight rate rule change to correspond with federal date requirements.

- **MOTION:** Dr. Joan Cloonan moved the Board adopt, as pending rules, the Rules for the Control of Air Pollution in Idaho as presented in the final proposal under Docket No. 58-0101-9903. She further moved the Board adopt the revisions included in the final proposal as amendments to the temporary rules adopted under Docket No. 58-0101-9903, with the amendments to the temporary rules becoming effective October 19, 2000.

SECOND: Nick Purdy

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

AGENDA ITEM NO. 6

RULES REGULATING SWINE AND POULTRY FACILITIES, DOCKET NO. 58-0109-0001, TEMPORARY RULE

Susan Burke, Compliance Specialist for DEQ Water Quality Programs, explained this rulemaking is needed to amend the existing rules to set forth requirements for financial assurances for the operation, closure and remediation of facilities. The specific requirements for financial assurances are to be determined by DEQ in rule. This rule change only affects those swine and poultry facilities that are required to be permitted under the existing Rules Regulating Swine and Poultry Facilities. It does not affect the facilities that are required to be registered under those rules. Negotiated rulemaking was held, but only one member of the public attended (Cassia County) the scheduled meeting and no further meetings were scheduled. The rules were drafted by DEQ in house and were sent out to the previous committee who helped draft the

original Swine and Poultry rules, asking for comments. Only one comment was received from Cassia County.

Don Chisholm confirmed that the proposed rule up for adoption was the version circulated today with the changes he, Paul Agidius and Doug Conde made the previous day. Marti Calabretta asked for a clarification to confirm that operators have the option of which means of financial assurance they use: trust fund, bond, letter of credit, insurance, corporate guarantee, or a combination of any of those methods. Susan Burke confirmed that it was the operator's choice to use any one, or a combination of any of those methods.

- **MOTION:** Paul Agidius moved the Board adopt, as temporary rules, the Rules Regulating Swine and Poultry Facilities as amended and circulated to Board members on October 18, 2000 under Docket No. 58-0109-0001 with an effective date of October 19, 2000.

SECOND: Dr. Randy MacMillan

DISCUSSION: Nick Purdy stated his concern that this rule would lead to further controls on dairies and feed lots. He was also concerned that the amendments made in the work session were not reviewed by the public. Paula Grandwohl clarified that the rules, if adopted as temporary rules today, would appear in the Administrative Rules Bulletin and go out for public comment. After public comment is received, a pending rule will be prepared in response to the comments and brought to the Board for adoption. Steve Allred discussed the rules which regulate confined animal feeding operations (CAFOs) which are administered by the Department of Agriculture through a memorandum of understanding with DEQ, as well as other laws and regulations which affect such operations.

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

AGENDA ITEM NO. 7

WATER QUALITY STANDARDS AND WASTEWATER TREATMENT REQUIREMENTS, DOCKET NO. 58-0102-0001, PENDING RULE

Chris Mebane, State Surface Water Quality Program, DEQ, presented the Water Quality Standards and Wastewater Treatment Requirements. In April 2000 the Board of Health and Welfare adopted this rule as a temporary rule to set site specific ammonia criteria for the Spokane River. The rule went out for public comment and a public hearing was held. No comments were received. The purpose of the rule is to allow a higher concentration of ammonia in the Spokane River, which is consistent with current EPA rules.

Dr. Randy MacMillan asked about other entities who were concerned about their discharge of total ammonia nitrogen. Chris Mebane responded that the cities of Idaho Falls, Blackfoot and Pocatello had recently been given ammonia limits on their municipal discharge permits for the first time. The city of Idaho Falls is concerned that they will not be able to meet their limit. Dr. MacMillan asked why the same ammonia limits were not being set for those water bodies as were being proposed for the Spokane River. Chris Mebane suggested it might be appropriate to apply the same ammonia limits to those water bodies or all water bodies of the state. If it is an acceptable criteria for the Spokane River, it should be appropriate elsewhere. EPA's current recommendation and DEQ's review indicate it is acceptable. It is being initially proposed for the Spokane River only simply as a workload issue. At the time the rule was proposed, DEQ was unaware this was an issue elsewhere; therefore, the research and public

comment process was not performed for other areas. Director Allred stated that if it is a problem or they get requests from other entities, DEQ will review the matter and bring it back to the Board. Marti Calabretta asked if staff could report at the next Board meeting on when DEQ might be addressing the rest on the state. She noted that as a legislator, she was instructed that nothing could be put into code that was site specific. She requested legal counsel to draw up a statement of understanding for the Board regarding when regulations can and should be site specific versus involving the entire state. Chris Mebane explained there is a specific provision in the water quality standards that sets out procedures for developing site specific criteria and a provision that any person may request a site specific criteria. It also sets out certain scientific procedures that must be followed.

- **MOTION:** Marti Calabretta moved the Board adopt, as pending rules, the Water Quality Standards and Wastewater Treatment Requirements as presented in the final proposal under Docket No. 58-0102-0001.

SECOND: Dr. Joan Cloonan

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

AGENDA ITEM NO. 8

IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS, DOCKET NO. 58-0108-0001, PENDING RULE

Howard Woods, Chemical Rules Manager for the Drinking Water Program at DEQ, provided a history on the development of this rule affecting lead and copper in drinking water. The proposed rule incorporates by reference into the state rules the revisions to the 1991 Lead and Copper Rule, 40 CFR Part 141, Subparts E and I, as well as 40 CFR Part 142 regarding primacy requirements. The changes will involve the following: demonstration of optimal corrosion control measures, lead service line replacement, public education, monitoring, analytical methods, report and record keeping, and special primacy issues. The changes in monitoring and reporting procedures will make it easier for drinking water systems to comply with the requirements of the rules.

- **MOTION:** Dr. Randy MacMillan moved the Board adopt, as pending rules, the Idaho Rules for Public Drinking Water Systems as presented in the final proposal under Docket No. 58-0108-0001.

SECOND: Paul Agidius

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

AGENDA ITEM NO. 9

COMPENSATION FOR HONORARIUMS AND REIMBURSABLE EXPENSES

Don Chishom reviewed a proposed policy statement regarding compensation to Board members for honorariums and reimbursable expenses. Don Chishom requested the wording in paragraph two be changed to strike the words "within their region."

- **MOTION:** Dr. Randy MacMillan moved the Board adopt the Board Policy for Compensation – Honorariums and Reimbursable Expenses for Members of the Idaho Board of Environmental Quality as presented with the revision to strike the words “within their region” from paragraph two.

SECOND: Paul Agidius

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

Debra Cline noted that the reason “within their region” was included in the policy used by the Board of Health and Welfare was to clarify that it was not necessary to get permission from the Chairman or a majority of the Board for the six discretionary meetings/trips per year if the travel was within the Board member’s region. Don Chisholm felt confident the Board members would exercise reason with their travel and expenses.

AGENDA ITEM NO. 10 **YEAR 2001 BOARD MEETING SCHEDULE**

Paula Gradwohl discussed the needs of the rulemaking schedule for next year. Some locations will be determined at a later date.

- **MOTION:** Marti Calabretta moved the Board schedule the following meetings for 2001:

January 17, 2001, 9:30 a.m. Boise, ID (may be conducted by telephone conference call)

April 18 & 19, 2001

June 13 & 14

October 17 & 18

November 14 & 15 Boise, ID

SECOND: Nick Purdy

VOICE VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

Marti Calabretta suggested the Board consider holding an open house in the Gold Room at the capitol during the legislative session to meet with legislators for presentations and discussion on the ORW nominations. An additional meeting may be scheduled in February as needed for legislative meetings and Board confirmations.

Don Chisholm asked Board members and Department staff for suggestions on locations throughout the state where meetings could be held. Suggestions will be submitted to Debra Cline for discussion at the next Board meeting.

AGENDA ITEM NO. 11: **WORKING LUNCH**

Board members presented reports on activities they had taken part in and issues of interest or concern in their areas.

AGENDA ITEM NO. 12: AIR QUALITY ISSUES – REPORT

Director Steve Allred discussed a new airshed planning effort in the Treasure Valley and Portneuf areas. The permits issued by DEQ do not cover all sources, such as transportation, open burning, and construction. A number of strategies can be utilized in order to provide protection in an airshed. The new process brings in a much broader sector of stakeholders to determine what level of protection ought to be provided in an airshed. They can then come to some consensus and involve all levels of government in the strategies to accomplish that level of air quality. Through advisory groups and working aggressively with the counties, an airshed management plan will be developed over the next couple of years that will have strategies to maintain air quality. The plan will coordinate actions by local, state, and federal government (and in the Coeur d'Alene area, by the Tribe) to provide protection. This is a new way of operating for the federal government, so they have been somewhat hesitant. Director Allred felt the airshed planning effort was getting a good start and would prove to be a more realistic and flexible process for protecting air quality.

AGENDA ITEM NO. 13: TREASURE VALLEY AIRSHED SETTLEMENT - REPORT

Director Steve Allred reported on the Treasure Valley Airshed settlement. It is in the final stages of settlement. The settlement will require adoption of certain rules by the Board. The settlement will also provide an opportunity to develop a basin-wide plan on how air quality is managed. A detailed briefing on the provisions of the settlement will be provided for the Board when the rules are presented in January 2001.

**AGENDA ITEM NO. 14: OUTSTANDING RESOURCE WATER NOMINATIONS –
BOARD ACTION**

Chairman Don Chisholm discussed best management practices (BMPs), baseline water quality standards, how they should be determined and whether there is a need to adopt a protocol.

Director Steve Allred felt there was a responsibility to the Idaho Legislature, the petitioners (Idaho Conservation League, et al.), and the general public to move forward with a decision on the ORW nominations. At this time, DEQ believes they cannot support all nominations because they do not have the information, resources, or time needed to gather the needed information. They do believe there are two water bodies where sufficient data already exists to support designation as ORWs. DEQ recommended the designation of the Selway River within the wilderness boundaries and the following tributaries within the wilderness boundaries: White Cap Creek, Bear Creek and the North, East and Middle forks of Moose Creek. They also recommend the Middle Fork Salmon River within the wilderness boundaries and the tributaries of Sulfur Creek, Loon Creek, Marble Creek and Wilson Creek as ORWs. DEQ did not recommend any further nominations this year. Director Allred further recommended a set of BMPs and an explanation of what the baseline water quality levels are and how they will be used be included with the nominations to the legislature. If the Board should choose to go forward with this recommendation, DEQ can have the legislation and the attachments available in November.

Director Allred discussed baseline water quality data and the need to make it part of the regulatory process established by the Board in this recommendation. He suggested the implementing legislation provide the authority for the Board to change that through the regulatory process. In order to go forward and have the confidence of the legislature and the people we should very clearly identify what is anticipated, both from the standpoint of protection and what regulations might be enforced in those areas. Staff will work on developing different terminology to clarify and segregate the BMPs and regulations.

Don Chisholm asked if there were existing studies that can be referred to on the Middle Fork and the Selway that represent the water quality standards that exist as of the time of the designation. David Mabe responded that some historic studies exist and some studies were done this year. That information can be compiled into a report that describes what we know today about the baseline water quality in those two segments. As a part of that, Mr. Mabe stated he would like to retain some flexibility to work with a statistician and determine what additional information is necessary to establish a very firm baseline DEQ would be willing to defend. The DEQ document would include a description of what we know today and a description of what would be necessary to augment that information to provide a very defensible baseline water quality for those segments. Don Chisholm asked if he could anticipate what the additional work would be—five years of monitoring, or reference to other existing sources of information? Mr. Mabe believed it would be collection of new information. There are no documents they are aware of that they have not reviewed and evaluated. He believed a couple more years of data collection might be necessary to be able to evaluate natural trends and establish a defensible baseline. Don Chisholm asked if the Board could establish a baseline, then ask the legislature for the authority to continue to study and revise the baseline perhaps as a matter of rulemaking to establish new benchmarks as data becomes available. David Mabe stated he believed it would be possible to have the legislature direct the Board to put a process into the rule and then the additional information collected could be put in the process to create a variable baseline based on the data collected. We could have a process, rather than a specific baseline that would go into the regulations. This would provide a comfort level for everyone as to what information was being used, how it is being collected, and how the baseline is established and modified.

Don Chisholm commented he believed in terms of anti-degradation, there should be a starting point and as additional information becomes available it should be analyzed and put into the process. He was uncomfortable with designating an ORW without a baseline established at the beginning. David Mabe confirmed that was essentially the process the Department envisioned. The Board discussed BMPs and enforcement procedures and how they would affect the public. Director Allred clarified that the ORW process does not regulate use, it regulates impacts on water quality.

Marti Calabretta asked how the river road would be interpreted since it is within the wilderness boundaries, but is exempted from wilderness. David Mabe explained that the road itself would not be a part of the ORW designation, but the impacts of the road will be going to an outstanding resource. Even if the boundaries on either side of the bridge were identified and the river within that 50 foot stretch was not designated as an ORW, that would only provide a little room for a mixing zone to manage the impacts. He felt this was an issue that needed to be better defined.

Marti Calabretta stated she believed the legislature's intent (in the original ORW legislation) in designating an agency to develop BMPs was not to give that responsibility to any party who had a fiduciary interest; but in fact it was the state agency that was protecting the interests of the state as a whole. Therefore, she felt it was very important to divide the issue; one issue would be the designation, the second would be how we determine which agencies have responsibility. Impacts involve the Department of Lands, the Forest Service, and Outfitters and Guides. Ms. Calabretta recommended they rely less on the Outfitters and Guides and more on DEQ as being the lead agency that brings together the BMPs that will apply to the ORWs. Doug Conde confirmed that the two issues could be split into two separate actions or motions.

Dr. Randy MacMillan expressed concern that public access might be threatened by an ORW designation and that there was so much uncertainty.

Chairman Chisholm asked if there were any further comments from the Board, staff, members of the public, or a representative of the Idaho Outfitters and Guides. No other comments being offered, the Chairman stated he would entertain a motion for designation.

➤ **MOTION:** Marti Calabretta moved the Board of Environmental Quality make the following recommendations to the legislature: the Board recommends the designation within the wilderness boundaries of the Selway River and the following tributaries: White Cap Creek, Bear Creek, and the North, East and Middle forks of Moose Creek as Outstanding Resource Waters. The Board hereby recommends to the legislature the designation within the wilderness boundaries of the Middle Fork Salmon River and the following tributaries: Sulfur Creek, Loon Creek, Marble Creek, and Wilson Creek as Outstanding Resource Waters. The Board does not recommend any other nominations to be made to the legislature from the recommendations it received this year.

SECOND: Nick Purdy

DISCUSSION: Dr. Randy MacMillan stated it was his understanding the motion would further the process of exhibiting the value of ORWs for the state, further define the process that ORW nominations go through in the state, and test the political will of the legislature to deal with the issue. Don Chisholm agreed and stated it might also improve the process by dealing with the practicalities of forming the baseline, adopting regulations, and defining the interrelationship between BMPs and regulations. It might also have the beneficial affect of testing exactly what the legislature and the people of Idaho want to see accomplished in terms of protecting outstanding resource waters from degradation. As maker of the motion, Marti Calabretta also agreed with Dr. MacMillan's comments and stated she believed the motion would begin a longer term process which would refine the process and allay the fears of the public as to the impacts both on their businesses and their personal use and access.

VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

➤ **MOTION:** Nick Purdy moved the Board request the Idaho Department of Environmental Quality work with the Idaho Outfitters and Guides Licensing Board, U.S. Forest Service, Idaho Department of Fish and Game, Idaho Department of Lands, and affected counties to finalize two reports: one for the portion of the Selway River and its tributaries and one for the portion of the Middle Fork Salmon River and its tributaries which have been nominated containing the Best Management Practices to protect the existing level of water quality present in these water bodies. The Board further recommends that these reports be submitted

to the legislature and that the Idaho Department of Environmental Quality be identified as the designated agency in the Idaho Code to adopt and recommend future changes to the BMPs as necessary to maintain the existing level of water quality.

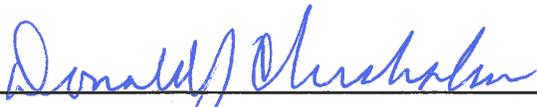
SECOND: Marti Calabretta

VOTE: Motion passed: 6 ayes; 0 nays; 1 absent (Senator Marguerite McLaughlin)

The Board directed DEQ staff to prepare a proposal to be presented at its November 2000 meeting regarding the protocol for determining the water quality baseline standards and to address the baseline standards as additional information becomes available. The Board will consider the final package for submission to the legislature at its November meeting. The Board further requested staff to prepare legislation regarding proposed statutory changes to the ORW process to be brought to the November 2000 Board meeting for its consideration.

Nick Purdy asked if the Director could provide more information regarding the Department's new process or policy on odors. Director Allred indicated the comment period closes on Friday, October 20. He explained it is not a policy, but a new procedure that will be used to make judgments on the regulations already in place. Because it is a substantial change in direction and a new standard will be used, DEQ felt it was important to allow the public an opportunity to provide input and comment on it to determine if they felt it was feasible. Director Allred discussed the process and how enforcement would be handled. The issue may eventually come before the Board in the form of a contested case.

The meeting adjourned at 2:45 p.m.



DONALD J. CHISHOLM, CHAIRMAN



MARTI CALABRETTA, SECRETARY



**DEBRA L. CLINE, ADMINISTRATIVE ASSISTANT
AND RECORDER**