

MISSOURI WELL INSTALLATION BOARD MEETING

March 3, 2011

Missouri Department of Natural Resources

Division of Geology and Land Survey

111 Fairgrounds Road

Rolla, MO

Director's Office Conference Room

OPEN MINUTES

A special meeting of the Well Installation Board was held on March 3, 2011, at the Division of Geology and Land Survey, Rolla, MO. A quorum being present, Mr. Robert Lawrence, Chairman, called the meeting to order at 1:05 p.m.

Board Members Present: Mr. Joe Gillman

Board Members Participating Via Conference Call: Mr. Robert Lawrence, Chairman; Mr. Fred Schoen, Vice-Chairman; Mr. Robert Broz; Mr. Danny Flynn; Ms. Harriett Beard; Ms. Annetta St. Clair

Board Members Absent: None

Legal Counsel Present: None

Guests Present: Carol Eighmey, PSTIF; Kaly Erwin, PSTIF; Travis Roberts, Roberts Environmental

DNR Staff Present: Mr. Jerry Prewett, Ms. Sheri Fry, Ms. Beth Marsala, Mr. Chris Thiltgen and Ms. Connie Edwards

INTRODUCTION

Mr. Lawrence welcomed everyone to the meeting and introduced himself. He asked the Board to introduce themselves.

**VOTE ON ORDER OF RULEMAKING FOR 10 CSR 23-4.010-23.4080
MONITORING WELL CONSTRUCTION CODE**

The Chair acknowledged Ms. Sheri Fry

Ms. Fry stated at the board meeting in February, staff presented the Order of Rulemaking for approval. At that time, the Board instructed staff to meet with Petroleum Storage Tanks Insurance Fund (PSTIF) staff to work through their comments and then return to the Board for approval. Staff met with PSTIF personnel, changes were made and a final Order of Rulemaking was emailed to the Board. Staff asked that one change be made to

the Order of Rulemaking prior to the board's vote , Roberts Environmental was added as a company that commented on 10 CSR 23 - 4.080. In order to meet filing deadlines, the rule must be filed with the Joint Committee on Administrative Rules (JCAR) by April 1, 2011. Thirty days later, the rule will be filed with the Secretary of State's Office for publication. According to the publication calendar, the rules would become effective on July 30, 2011. Staff recommended the Board vote to approve the Order of Rulemaking and move forward with the rulemaking process. Ms. Beard made a motion for staff to move forward in the rule making process. Mr. Flynn seconded the motion. Motion carried.

Ms. Carol Eighmey with PSTIF thanked the Board and staff for taking the time to work with her in tweaking the wordage of this rule.

VOTE ON FINDING OF NECESSITY FOR 10 CSR 23-1.050 QUALIFICATION

The Chair acknowledged Ms. Sheri Fry

Ms. Fry stated at the board meeting in February, the Board voted to move forward with the filing of the apprentice rulemaking. In order to do this and according to Missouri statute 536.016 RSMo. and the department's rulemaking directive, the Board must sign a finding of necessity stating they agree that promulgating the rule is necessary to govern the regulation of the drilling industry. If approved, staff will ask the Board to return the signature page emailed to them either by email, fax or regular mail. Staff requested the Board vote to approve the Finding of Necessity required by statute as stated. Mr. Fred Schoen made a motion to approve the Finding of Necessity and Ms. Beard seconded the motion. Motion carried.

OTHER BUSINESS

Ms. Marsala stated on the recording of the February 2011 Well Installation Board meeting, we could not ascertain who made the original motion to approve November 2010 open minutes. Staff requested the Board approve those minutes at this meeting. Ms. Beard made a motion to approve the minutes as presented. Mr. Broz seconded the motion. Motion carried.

ADJOURNMENT

Ms. St. Clair moved that the meeting be adjourned. Ms. Beard seconded the motion. Motion carried. Meeting adjourned at 1:13 p.m.