

## Powder River focuses on the future at 51st annual meeting

ROBIN ENGLEHART-BAGLEY  
Powder River Staff

While daily life in the Equality State may feel fraught with policy and cultural disagreements, the Powder River members who gathered in Sheridan on Nov. 4 came together eager for the camaraderie that the annual meeting offers. Since last year's annual meeting celebrated 50 years of Powder River members' accomplishments and perseverance, this year's theme looked forward. Even after making significant progress over the past five decades, Powder River continues the daunting task of holding both elected officials and industry accountable, while at the same time navigating a divided populace. This challenging atmosphere inspired this year's meeting theme, *Watching Out for Wyoming: The Next 50 Years*.



Keynote speaker Rodger McDaniel delivers a hopeful message during his presentation.

For our keynote address this year, Wyoming author and former legislator, Rodger McDaniel framed Wyoming's present-day cultural, economic, and political climate through a historical lens of a number of courageous Wyomingites who fought for justice, environmental protections, and equality. McDaniel's presentation reminded everyone that while we live in challenging times, that has often been the case throughout our state's history, and there have always been people "who have understood the meaning of hope."

But he emphasized that hope and courage have important distinctions: "Everyone hopes for a positive outcome in the

future. Hopeful people wish that justice would happen. Courageous people actually do what is necessary to make it happen." Two of the examples he gave, both of them included in his book *Profiles in Courage: Standing Against the Wyoming Wind*, will be familiar to many Powder River members: Lynn Dickey and Tom Bell. Dickey was Powder River's director back in the 1970s in the organization's early years; referred to as Joan of Arc on a steel stallion, she went on to fight for other forms of justice as a state legislator, and as an advocate for disabled people and peace.

Bell was the founder of the High Country News and the Wyoming Outdoor Council. McDaniel spoke of going through Bell's archives and finding a letter from Bell to Campbell County rancher Bill Barlow about how the coal boom was threatening Barlow's ranch and the whole way of life in the Powder River Basin. As we know, Barlow and his wife, Bernie, joined "seemingly disparate people" and became founding members of Powder River. Together these people "found common cause for more than a half-century of courage; successes that should give us all hope," said McDaniel.

Attendees were also treated to Dainis Hazners's photographic slideshow, *The Big Open* chronicling the Powder River Basin through the seasons. This journey through the basin was accompanied by music and arranged by Dr. Mark Elliot Bergman, Director of Strings and Orchestral Studies at Sheridan College.

In addition to the inspirational evening program, the Powder River business meeting was attended by about 30 members, and attendees took advantage of being in-person to debate and pass a resolution on enhanced oil recovery. See the full resolution printed in this issue for details.

THE FUTURE continued on page 4

## EPA releases finalized rule to curb methane emissions from oil & gas

KATHERINE STAHL  
Powder River Staff

It's been a big year for federal rulemakings that help hold the oil and gas industry accountable. On Dec. 2, the Environmental Protection Agency (EPA) released a finalized rule that will drastically cut methane emissions from the oil and gas industry. The rule is a long time coming – although its finalized version was announced at the United Nations Framework Convention on Climate Change (UNFCCC) 2023 Conference of Parties (COP), previous versions of the rule were announced at the 2021 and 2022 COP. The final rule takes into account nearly a million comments from environmental groups, industry, and public.

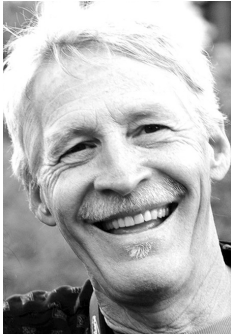
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In Converse County, there is still routine flaring at many sites – this is clearly visible from our ranch at night. We are pleased to see EPA doing more to stop this dangerous and wasteful practice. This rule is a win for rural communities throughout Wyoming.  
~ Maria Katherman

Although Wyomingites have had a vastly different weather experience, 2023 is on track to become one of the hottest years on record globally. That's following eight consecutive record-breaking years for global temperatures. By September of this year, the US had already experienced a record-

breaking 23 billion-dollar disasters (weather-related natural disasters for which cleanup costs total over \$1 billion). These unfortunate records illustrate that addressing the root cause of climate change, the burning of fossil fuels and associated emissions, is critical.

FINALIZED RULE continued on page 5

# Message from the Chair



In many Latin American countries as well as in Spanish speaking communities around the world people celebrate the new year by remembering the past year—El Año Viejo. The old year. There's a song to accompany this act of remembering, a song that tells of the many gifts the past year has brought. These gifts include a little goat, a black burro, a white mare, and a wonderful, beautiful mother-in-law.

At the same time, we recognize that the old year brought some things that weren't so good. So on New Year's Eve effigies to cleanse us of the past are set on fire. In recent years some of the most popular effigies have been of Darth Vader, Voldemort—oops, he who shall not be named—and Donald Trump. The figures are made from old clothes stuffed with sawdust or newsprint. They include scraps of paper on which people write down things they want to be rid of. It all goes up in flame.

In the United States, many of us mark the new year by looking forward. We make resolutions—lists of the things we want to do in the future, improvements we'll make in our lives. These often have to do with ideas of how we can be better, how we can behave more ethically, how our individual actions can have a positive impact on our society. Resolutions can be lighthearted, too. I once vowed to give up chewing gum—Big Red cinnamon which I love.

I recently read an article by Oberlin College president Carmen Twillie Ambar addressing the reality that when we seek to make change we often find ourselves in contentious situations. As we try to act on behalf of greater social justice and a more equitable society, we discover that everyone doesn't have the same idea about what that society should look like.

At Powder River, our actions focus on greater sensitivity to and protection of our environment, to developing human communities that act in harmony with the natural world, the world that supports us and gives us both pleasure and meaning. And in this realm, too, we discover that everyone doesn't have the same idea of what is best to do or how best to do it.

In seeking shared solutions to our problems, Ms. Ambar asks us to use our platforms as individuals, as citizens, and as professionals in our fields of work in ways that will lead to better lives for all. Of course we should do this I think. But with a few caveats. I must remember that not everyone is in a position to take on large environmental and political issues. Many of us are struggling just to get by—to survive, to take care of ourselves and our families, our neighbors. We can't ask everyone to be an activist as we understand that word.

At the same time, each of us can take some action knowing that all of our actions add up. It's like the old saying that a journey of a thousand miles begins with a single step. One small act added to hundreds, thousands, millions of other small acts will add up to something big, meaningful, and grand in support of a better life for all.

So my New Year's resolution is to whatever I can do for the earth on behalf of both environmental protection and social justice while keeping in mind the situation of others. I would act with greater kindness and deeper compassion. I would listen to others when they tell me what they have experienced, what they have felt and what they now believe as a result of their experience. Then I would listen again. After that, I'd listen a third time. What are our dreams and how can we make them real while avoiding the imposition of those dreams on someone else?

I have one more resolution for the new year—to go ice skating more often than I did last winter. Maybe we'll see each other out there on the ice, slipping and falling, and helping each other get back up.

*David Romtvedt*

**POWDER RIVER BASIN RESOURCE COUNCIL (POWDER RIVER)** is a grass-roots organization of individuals and affiliate groups dedicated to good stewardship of Wyoming's natural resources. Powder River was formed in 1973 and stands for the preservation and enrichment of our agricultural heritage and rural lifestyle; the conservation of Wyoming's unique land, minerals, water and clean air consistent with responsible use of these resources to sustain the livelihood of present and future generations; and the education and empowerment of Wyoming's citizens to raise a coherent voice in the decisions that will impact Wyoming residents' environment and lifestyle.

**POWDER RIVER IS A MEMBER OF** the Western Organization of Resource Councils (WORC). WORC member groups are Dakota Resource Council, Dakota Rural Action, Idaho Organization of Resource Councils, Northern Plains Resource Council, Oregon Rural Action, Western Colorado Congress, Western Native Voice and Powder River Basin Resource Council.

**THE SERVICES PROVIDED** by Powder River include public education, community organizing and lobbying as permitted on behalf of its membership. Powder River is a non-profit, 501 (c)(3) tax-exempt organization.

**MEMBERSHIP DUES:** \$30 for individuals, \$50 for families and \$20 for students and senior citizens. Powder River is dependent on contributions for its work; contributions, large and small, are welcomed.

#### ACTIVE AFFILIATE ORGANIZATIONS

- Alliance for Renewable Energy (ARE)
- Clark Resource Council (CRC)
- Cheyenne Area Landowners Coalition (CALC)
- Pavillion Area Concerned Citizens (PACC)
- Sheridan Area Resource Council (SARC)

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#### POWDER RIVER BREAKS

EDITOR: Robin EH. Bagley  
Photos by Powder River staff and members.

# Enthusiastic gardeners attend seed saving workshop

PENNIE VANCE  
Powder River Staff



Area gardeners learned practical seed saving tips at the October workshop led by Powder River members.

A roomful of enthusiastic gardeners attended Powder River's seed saving workshop at the Sheridan County Library in October. Powder River members, Rachel Bourgault, Carol LeResche, and John Buyok shared years of wisdom not only on how to save seeds but also on why seed saving is urgently needed today.

Participants learned when saving seeds, one must harvest seeds only from plants grown exclusively from heirloom or open pollinated seeds. Seeds saved from hybridized plants will produce inferior plants or will not grow at all. This is why seeds saved from tomatoes and other produce from supermarket shelves, when planted, usually produce unhealthy plants or fail to sprout at all.

Bourgault and LeResche demonstrated how to save tomato seeds, which involves a bit more effort than simply allowing seeds to dry. However, saving the seeds year-to-year not only produces tasty heirloom tomatoes, but also can save gardeners the expense of seeds or bedding plants.

Saving heirloom seeds also helps address the loss of plant diversity and food security. Before agriculture became industrialized, humans relied on over 6,000 varieties of plants for food. Today, the biggest share of our diet is from four, highly industrialized foods: wheat, corn, soy, and rice, all grown from patented seeds owned by four large corporations.

Depending heavily on four crops that are grown from hybridized patented seeds to feed the world is very risky. The resulting monocrops are susceptible to total decimation by plant disease. A tragic example of the risk is the 1840s potato famine in Ireland where the staple food at that time, a single variety of potato, was decimated by a plant disease. Millions of people starved, and millions more were forced to emigrate. To avoid that kind of catastrophe again, we can help by speaking out against monocrop practices and by the simple act of saving seeds.

Saved seed strains often develop traits suited to a particular

habitat and many have a special history. When immigrants came to America years ago, they often arrived with seeds that had been passed down for generations along with their stories. When we plant a saved seed, we are likely planting a remnant of history.

Buyok shared a story about heritage watermelon seeds that were given to him from someone whose family had been growing that strain for many years. He found that while most watermelon seeds do not grow well in Wyoming, that variety, which had adapted to Wyoming's environment, grows very well.

The demonstration was followed by a Q&A session that focused on how to keep soil covered to avoid loss of water, carbon, and other soil nutrients. Bourgault stressed the importance of avoiding tilling and planting ground cover. Compost as cover can also help but the speakers urged caution about city landfill compost, which often contains grass clippings treated with weed killer. While the compost heat usually kills weeds, it does not destroy the weed killers, which will kill garden plants as well.

Powder River is planning more gardening and local foods events for 2024. One planned for this winter will feature LeAnn Miller, the "Veggie Lady," from Casper who has created an amazing statewide distribution network of local foods.

## Laramie Interfaith goes solar

CLAIRE DEUTER  
Powder River Staff

The nonprofit organization Laramie Interfaith received funding from Rocky Mountain Power (RMP) to install a new solar array on its building in Spring 2024. The \$100,308 grant will cover 80% of the project's costs and supports the nonprofit's mission to prevent and alleviate homelessness and food insecurity in Laramie.

RMP's Blue Sky program is funded by utility customers voluntarily contributing to the program for \$1.95 per month. The money is used to support wind and solar energy installations for new, community-based renewable energy projects.

Powder River's affiliate, the Alliance for Renewable Energy (ARE), submitted a letter of support for Laramie Interfaith's Blue Sky application. ARE expressed that selecting Laramie Interfaith for the award supports community services and better serves an underserved population, all while increasing solar energy visibility and fostering educational opportunities about renewables. Laramie Interfaith's solar installation, ARE explains, helps move Laramie towards a more secure and sustainable energy future.

Eligible Blue Sky grantees include non-residential entities such as nonprofits and government organizations. Laramie Interfaith is not the first Blue Sky recipient in Laramie; other projects supported by

Blue Sky in Laramie include solar installations at the Laramie Fire Department, the Downtown Clinic, the Laramie Community Recreation Center, and multiple installations at the University of Wyoming. Other Blue Sky recipients in Wyoming include the Riverton Senior Center, Natrona County Meals on Wheels, Converse County School District, National Outdoor Leadership School, and more.

Investing in renewable energy projects such as rooftop solar can help nonprofits and local governments save money on utility bills while supporting clean energy. Those interested in exploring Blue Sky opportunities can visit [www.rockymountainpower.net](http://www.rockymountainpower.net) for more information.

### SOLAR STATS

Energy Produced:  
**341kWh**

Carbon Offset:  
**546 pounds**

We offset an equivalent  
of 4 trees  
in October & November

## 2023 Powder River Resolution

# ENHANCED OIL AND GAS RECOVERY

*In 2011 members of the Powder River Basin Resource Council passed a resolution to support the general concept of enhanced oil and gas recovery (EOGR) with caveats, primarily based on the idea that many Wyoming oil and gas fields were nearing the end of production, and enhanced recovery would allow oil and gas companies to boost long-term production without developing undisturbed lands. This resolution amends the 2011 resolution to read as follows:*

**WHEREAS**, in the 12 years since the passage of Powder River’s 2011 “Enhanced Oil Gas Recovery” resolution, EOGR technology has not restricted leasing and development of undisturbed land for oil and gas production; and

**WHEREAS**, the burning of fossil fuels causes the release into the atmosphere of carbon dioxide and other pollutants, regardless of the method of extraction; and

**WHEREAS**, enhanced oil and gas recovery frequently utilizes carbon already sequestered as coal or other fossil fuels underground, rather than utilizing carbon removed from the atmosphere; and

**WHEREAS**, earth is facing a climate emergency fueled by anthropogenic emissions of carbon dioxide; and

**WHEREAS**, enhanced oil and gas recovery adds to the global atmospheric load of carbon dioxide because the burning of the oil or gas extracted through this process itself emits carbon dioxide;

**NOW, THEREFORE BE IT RESOLVED**, that Powder River Basin Resource Council opposes the general concept of enhanced oil and gas recovery because 1) the technology is more likely to contribute to a greater atmospheric load of greenhouse gasses, rather than reducing anthropogenic emissions; 2) Powder River resolved in 2004 to support “responsible legislation and policy initiatives that seek to control and reduce greenhouse gas emissions,” and supporting enhanced oil and gas recovery directly conflicts with reducing greenhouse gas emissions; and 3) enhanced oil and gas recovery leads to additional anthropogenic carbon emissions, thereby contributing to the climate crisis.

# Expanding markets for regenerative ranchers

PENNIE VANCE  
Powder River Staff

While implementing regenerative agriculture practices offers a host of soil and livestock health benefits for ranchers, marketing the meat they produce requires non-conventional methods to reap the economic benefits of using more sustainable ag production methods. In November, the 2023 Expanding Markets Conference in Billings, which was attended by Powder River staff member Pennie Vance, brought together speakers who shared information on an array of marketing methods used by ranchers using regenerative practices in raising cattle. The workshop also featured companies who have developed creative ways of utilizing beef by-products.

In Montana, three young women ranchers joined forces to direct market their grass-fed beef products under the Montana RanchHERS label. They sell whole, half and quarter beef shares, beef boxes and ground beef both directly and online. The business arrangement provides needed support in a difficult business and allows each to use their strengths for marketing, website work, and social media advertising.

West Paw, a Montana B Corp (the purpose of a B company is to create general public benefit) sources over 90%

of the beef offal from area ranchers that is used to manufacture sustainable pet products. Their success depends on smart marketing, which has led to their products being sold in pet specialty stores in the U.S. and over 40 countries.

A fourth generation rancher discussed how she helped found the Yellowstone Valley Food Hub, a producer cooperative which sources and distributes high quality local meats and other food from over 45 area ranchers, farmers, and bakers. The hub shares the successes and failures of their co-op model so that it can be replicated in other communities. Powder River’s sister organization, Northern Plains Resource Council, assisted the Hub in its formative stages.

These and other presentations highlighted the growing array of marketing options being developed for a growing consumer base who want to purchase meat and produce raised using healthy, regenerative practices.

The conference was hosted by Western Sustainability Exchange, a non-profit in Livingston Montana, whose goal is advancing regenerative agriculture practices by facilitating educational events, developing tools and helping open market opportunities for producers across the West. Their website [westernsustainabilityexchange.org](http://westernsustainabilityexchange.org) features successful stories and resources.

## THE FUTURE

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Board elections were held with the following members being elected: Barbara Chase, Joyce Evans, Bob LeResche, Maria Katherman, Lynne Huskinson, Wayne Lax, David Romtvedt, and Tudor Marks. These board members join other board members serving the second of their two-year term.

While we no longer run the silent auction, we once again had a live auction featuring Pies by Guys, as well as original artwork by Ellen Dudley, a sculpture donated by Phil Gilmore and a fly rod donated by Charlie Walter. A very big thank you to member Peter Schrock for volunteering to be our auctioneer for the evening. Also, thank you to everyone who baked a pie and all of the auction buyers, this is an important annual fundraiser for the organization.

We are grateful for everyone who attended this year and were gracious as

we navigated a few hiccups at a new venue. Thank you for an outstanding year, and here’s to the future! We’ll be here, watching out for Wyoming.



# WY Go Solar: Good energy in Southwest Wyoming

MICHELE IRWIN  
Powder River Staff

We're excited to report that folks in Southwest Wyoming are interested in going solar in a way that fits the local community. Recently a group of local Powder River members chose rooftop solar as an issue to work on that can have a positive impact on people's wallets in a way that also support their values for energy freedom, open space, and wildlife habitat.

While issues facing the region are many, and the problems complex and often global in nature, rooftop solar is pretty simple because it tends to use existing infrastructure, and in many cases, homes.

Power is used where it is generated, while excess power is sold back to the utility, providing a cost-savings. Because this excess power can be used on the grid, it helps provide reliable and affordable power for other ratepayers.

Diversifying our local economy, supporting small businesses, and providing jobs for Wyoming people are benefits the entire community can realize through increased rooftop solar.

The group is looking forward to growing renewable energy in the region in a sustainable way, and helping people understand the benefits of going solar. If anyone is interested in learning more, reach out to me at [mirwin@powderriverbasin.org](mailto:mirwin@powderriverbasin.org).

# FINALIZED RULE

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EPA's rule takes aim at methane emissions in particular. Methane is a potent greenhouse gas, capable of 80 times the warming power of CO2 during its first 20 years in the atmosphere. In the US, the oil and gas industry is the most significant source of methane emissions outside of agriculture. While altering the digestive system of a cow is likely impossible, reducing methane emissions from the oil and gas industry is recognized as relatively easy and very cost-efficient. Estimated emissions reductions from the rule total 58 million tons of methane by 2038. The rule is important for public health too, especially in communities living near oil and gas development. Under the rule, VOC emissions should drop by 16 million tons and emissions of hazardous air pollutants should drop by 590 thousand tons.

The rule draws on existing proven technology for emissions monitoring and leak control, while also allowing for newer methods of monitoring, such as aerial surveys. Under the rule, pneumatic pumps and controls will be held to a zero-emission standard, and operators will be required to regularly monitor for and quickly fix any leaks. Importantly, the rule includes a near-total ban on routine flaring. Following a two-year phase-in period, newer facilities will no longer be permitted to flare gas, except in emergencies. Since new facilities typically flare routinely until they can utilize or transport the gas, and flares frequently malfunction and emit methane, this component of the rule will help drastically reduce emissions. The final rule also establishes the Super-Emitter Response Program. This program enables certified third party groups to monitor for and report large methane leaks to EPA. EPA then notifies the operator, so that timely action may be taken to halt emissions.

Powder River board member Maria Katherman testified in January on the necessity of the rule. Now, seeing the finalized, strengthened rule, she remarked, "In Converse County, there is still routine flaring at many sites – this is clearly visible from our ranch at night. We are pleased to see EPA doing more to stop this dangerous and wasteful practice. This rule is a win for rural communities throughout Wyoming."

Thank you to all our members who submitted comments, wrote letters-to-the-editor, and engaged on this rulemaking, pushing EPA to craft an effective final rule. We hope all of our members can take some time to celebrate this win!

## Heartland Kubota receives REAP grant from USDA

*Editor's Note: This is reprinted from Nov. 15, 2023 edition of the Sheridan Press.*

Heartland Kubota LLC of Sheridan is one of five Wyoming recipients of nearly \$145,000 in grants from U.S. Department of Agriculture Rural Development. The grants will help agricultural producers and rural small business owners make energy efficiency improvements and renewable energy investments to lower energy costs, generate new income and strengthen the resiliency of their operations.

Using the grant, Heartland Kubota LLC will purchase and install a 25 kilowatt rooftop mounted solar renewable energy system. The project will realize \$698 annually in savings and will save 35,000 kilowatt hours of electricity per year, which is enough to power three homes.

Other businesses that received grants included the Buffalo KOA Journey Campground in Buffalo; Lorenz Ranch Inc. near Cheyenne; Ryan Ranches Inc. near Saratoga; and WYOIT LLC in Cheyenne.

The USDA awarded the grants through the Rural Energy for America Program [REAP] made possible by the Inflation Reduction Act [IRA].

"Wyoming business owners and ag producers have a unique opportunity to lower their energy costs through the Inflation Reduction Act," USDA Rural

Development Wyoming State Director Glenn Pauley said. "We've seen a lot of interest recently in the Rural Energy for America Program, and I hope to see even more IRA funding make its way to Wyoming. This historic funding will make a lasting impact for future generations."

The [IRA] makes the largest investment in climate action in history and is lowering energy costs, bringing opportunity to communities across America and tackling the climate crisis through

investments in agriculture, forest restoration, and rural communities.

The Joe Biden-Kamala Harris administration championed the [IRA] to help provide new funding and unprecedented incentives to expand clean energy, transform rural power production, create jobs and spur economic growth. It is the largest single investment in rural electrification since the Rural Electrification Act of 1936.

Since December 2022, USDA has made up to \$1.3 billion available in REAP funding through the Inflation Reduction Act. Eligible applicants include rural small business owners and agricultural producers.

The Department continues to accept REAP applications and will hold funding competitions quarterly through Sept. 30, 2024. The funding includes \$144.5 million for underutilized renewable energy technologies.



Committed to the future of rural communities.

# Nuclear project needs more transparency

MIKE HUNZIE | Diamondville

*EDITOR'S NOTE: This was originally published in the Nov. 28, 2023 issue of the Kemmerer Gazette.*

Dear Editor,

The Nuclear Regulatory Commission (NRC) recently held a meeting in Kemmerer letting the public know there will be opportunities to get involved in the permitting process for TerraPower's proposed sodium nuclear plant.

That's great since public input is important. However, I wonder how the NRC thinks the public can comment on and get involved in something where all of

the main details have been kept secret.

Time and time again NRC staff couldn't answer questions, saying things like some details are proprietary and can't be released to the public, or we won't know that until applications are filed in March 2024.

How long must we put our blind faith in a company whose only response has been "everything is on track"?

This is also true for any information about the cost of the proposed power plant.

We know the feds have guaranteed up to \$2 billion to cover the very expensive price of this experimental nuclear project. But what we don't know is how much we're going to have to start paying for this

project every month through power bills.

A simple Google search shows nuclear power isn't cheap and projects routinely have cost overruns caused from escalating labor and construction costs and technology risks.

If the NRC truly wants public engagement in the project, the agency - and the company it is regulating - needs to disclose a lot more information to help us weigh the pros and cons of this facility. Transparency is a universal value - something all Wyomingites deserve.

I hope as TerraPower moves along in the permitting process that they become more open and honest with the public and especially their future power customers.

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# Focus on facts not political gamesmanship when it comes to coal jobs

BOB LERESCHE | Clearmont

*EDITOR'S NOTE: This was originally published in the Dec. 12, 2023 issue of the Gillette News Record.*

Nineteen equipment operators, mechanics and mine staff got laid off last week from the Black Butte coal mine near Rock Springs. They were told just before Christmas they'd lose their jobs because an obscure federal agency was slow in permitting a mine expansion.

They're having none of it. Two told Cowboy State Daily they "suspect that the real reason the plant is laying off employees is because of mismanagement, saying [they] believe the coal mine wouldn't be ready to implement the expansion it has talked about even if it got the go-ahead from the DOI....They don't have enough reclamation done to open another pit."

It's truly tragic when hardworking Wyomingites lose well-paying jobs, during the holiday season and especially when being fed a line by the mine manager. Truth is, these layoffs are just the latest at Wyoming mines struggling to adapt to the reality that market demand for coal is rapidly shrinking. So, wouldn't we expect our politicians to redouble their efforts - to date scarce to non-existent - to educate and prepare Wyoming for the ongoing decline of coal markets and coal jobs?

Well, no. The Governor is at it again:

blaming the federal government and hoping to shift blame that really lays at the state's feet for failing to face the fact that energy markets are shifting away from coal and failing to prepare our economy for a different future.

The Governor echoed mine manager Steve Gili almost verbatim, nonsensically blaming the Office of Surface Mining Reclamation & Enforcement (OSMRE) for the layoffs, claiming that a delayed federal permit caused the layoffs. If you've never heard of OSMRE, you're not alone - it's a tiny federal agency that mostly works quietly, rarely makes headlines and has never been blamed for causing the thousands of nationwide coal layoffs the last decade.

Rather than attacking OSMRE, the Governor should embrace their role in overseeing Wyoming's regulation of mining and reclamation, especially of our publicly owned coal. OSMRE plays a critical role in guiding the mining of federal coal, ensuring reclamation of mined lands, and facilitating a just and equitable transition for coal regions as power plants are retired and demand for coal shrinks. Federal law requires they play a key role in evaluating current mining activities before approving new mining. They evaluate mining's effect on multiple uses of public land, what water supplies are being affected, what lands have been

restored and released from bond, and other things critical to reclamation and restoration of federal coal lands. OSMRE also considers past histories of operators, helping mitigate impacts of mines abandoned in company bankruptcies.

Ironically, if any environmental regulator should be blamed for the Black Butte layoffs it is the Wyoming State Department of Environmental Quality. As embarrassing as it may be for the Governor to admit, his own DEQ pushed the mine's utility customer - the Jim Bridger coal plant - to convert half its coal units to natural gas, leading to decline in coal demand from the Black Butte mine. Less coal means fewer jobs, pure and simple.

But really, no government agency - state or federal - is to blame here. Instead of whining about mine regulators, the Governor would better focus his energy on developing an honest and effective economic transition plan to address how jobs and revenue can be replaced as coal continues to decline.

We can't reverse market trends, but we can be prepared. Blaming OSMRE - or, more ridiculously, President Biden - only provides another distraction as Wyoming politicians continue to whistle past the graveyard, averting our attention from planning for our future - a new lower-carbon economy that is coming whether we like it or not.

# Feds field questions about Wyoming's first nuclear power plant

DUSTIN BLEIZEFFER  
WyoFile

*EDITOR'S NOTE: This is reprinted from the Nov. 9, 2023 issue of WyoFile. WyoFile is an independent nonprofit news organization focused on Wyoming people, places, and policy.*

TerraPower, backed by billionaire Bill Gates and the U.S. Department of Energy, plans to build the pilot “Natrium” liquid-sodium-cooled nuclear energy plant here, hoping its success will spur the deployment of Natrium and other small nuclear reactors throughout the nation and around the world.

The next-generation technology presents myriad considerations for the Nuclear Regulatory Commission, which has authority over the safety, security and environmental implications of such facilities. It would also be the first industrial nuclear facility in Wyoming, and locals have many questions.

Does the NRC take seismic activity into account? When might spent radioactive fuel waste be shipped off to a permanent storage facility? Will there be regular NRC inspections, and how often?

Sen. Dan Dockstader (R-Afton), however, shares another concern that is top-of-mind for locals who are eager for the economic boost that developers promise: Can the NRC speed up the approval process “if you get the right people in place?”

“I’m running out of time planning and creating legislation to make sure this all comes together,” he said.

Dockstader was among more than 100 local residents who attended the NRC’s two information sessions here Tuesday. The agency sent a dozen staff members to this isolated southwestern Wyoming town of 2,400 to field questions about what many anticipate will be an expedited review process.

## REVIEW PROCESS

TerraPower and its contractors have already drilled more than 100 boreholes here to help “investigate” the suitability of the location, according to the company, and it plans to begin construction of the sodium testing facility and other non-nuclear portions of the 345-megawatt Natrium nuclear reactor energy plant in 2024.

The nuclear plant will be “co-located” next to PacifiCorp’s Naughton power plant just outside of Kemmerer. One coal-burning unit at the plant was converted to natural gas, and the two remaining units there will be converted to natural gas in 2026.

Before the company can begin assembling the nuclear components, however, it must complete a licensing application that can pass the NRC’s review process, which includes several opportunities for the public to weigh in on the proposal. The NRC expects to receive TerraPower’s application, and initiate the official review process in March.

“Now is an opportune time to conduct this initial outreach and to explain the analysis process of reviewing applications for construction and operation,” NRC’s Chief of Advanced Reactor Licensing William Jessup said.

Although the NRC is developing a new review process specific to “advanced” reactors such as Natrium, which uses molten sodium as a coolant instead of water, TerraPower has tentatively agreed to seek approval via the long existing “Part 50” review, according to Jessup. It includes multiple review tracks, each with a safety and environmental component: one to consider a construction permit, and another to consider an operating license. The process requires

the NRC to produce an environmental impact statement — all of which include public input and multiple opportunities for the normal administrative and legal challenges that come with large federal permitting activities, Jessup explained.

Typically, the arduous NRC review can take up to seven years or more to complete — with no guarantee of final approval. Last year, the NRC denied Oklo Power, LLC’s application to build a “fast reactor” in Idaho for allegedly failing to provide sufficient information on the facility’s design.

TerraPower — which is embarking on its first NRC licensing attempt — hopes to win approval much sooner, however, thanks in part to the 2019 Nuclear Energy Innovation and Modernization Act. The law — championed by Sen. John Barrasso (R-Wyoming) — set a maximum review timeline of 36 months. Additionally, TerraPower expects to help the NRC trim that timeline even further by filing information ahead of schedule.

It all depends on TerraPower submitting thorough information that doesn’t require many requests to fill in unanswered questions, according to the NRC.

“If we have all of these discussions and address all of these topics before the application even comes in, then you would expect that it may make the review go faster,” Jessup told WyoFile.

## QUESTIONS

Many locals are eager for the potential economic boon the \$4 billion project might bring to this region, which has long relied on the diminishing coal industry to power its economy. But many of the same people, and others, are concerned about the high-stake risks that come with a nuclear facility.

Does the NRC take seismic activity into account?

Yes, NRC officials said, adding that they are aware that there is seismic activity in the Rocky Mountain Region.

Several residents, including Rep. Scott Heiner (R-Green River), asked when the radioactive spent fuel might be transported to a permanent storage facility.

“Is there a permanent solution for waste that is being worked on at this time?” Heiner asked.

No, there is no permanent nuclear fuel waste repository in the U.S. at the moment, NRC officials said. Though NRC staff in attendance indicated they “anticipate” one will be built, others have long indicated that there’s no clear path to building a permanent repository, which has been discussed for decades.

For now, that means spent nuclear fuel will be “temporarily” stored on site — for how long, nobody knows.

The NRC fielded questions about how nuclear fuel will be transported to the facility and the safety of those radioactive materials will be ensured. The NRC, along with other federal agencies, closely manage transport of such materials in cooperation with state agencies, according to staff members. A specific plan, however, will be worked out in the NRC’s review, they said.

NRC representatives assured locals they will maintain partnerships with local emergency managers and state environmental authorities.

Many questions about TerraPower’s Natrium design, however — such as water consumption and where the company will find enough construction and permanent workers — are up to the company to answer. However, most of those details — with the exception of information that the NRC agrees to deem proprietary — will be included in the application and public review, according to NRC staff.

“That’s the reason we’re here tonight,” Jessup said. “We’re here to get the message out early about our process and how to interact.”



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