Advanced Conversion Technologies Task Force Meeting
Minutes
Friday, August 24, 2012
UW Conference Center – Hilton Garden
Laramie, Wyoming

ACTTF Members Present:
Ron Harper, Kit Jennings, Rob Hurless (Governor’s Office Representative), Carl Bauer, Jeane Hull, Tom Lockhart, Martha Wyrsch (by phone)

ACTTF Members Absent:
Paul Lang, Jim Bowzer, Rob Wallace

SER Staff in Attendance:
Mark Northam, Mary Byrnes, Diana Hulme, Don Roth, Bob Ballard, Cath Harris, Nadia Kaliszewski, Abby Mellinger Scott

Others Attending:
Dustin Bleizeffer (WyoFile), Wendy Lowe (Peabody Energy), Wanda Burget (Peabody Energy), Vijay Sethi (UW), Daman Walia (ArcTech, Inc.), Crystal McDonough (Associated Legal Group, LLC), Chris Boswell (UW), Don Collins (WRI), Jane Caton (Attorney General’s Office), Gregory Nickerson (WyoFile)

Agenda:
1) Minutes from May 18, 2012
2) Minutes from June 18, 2012
3) Discussion of Public Meeting Requirements
4) Update – Economic & Technical Feasibility Studies Info – Discussion
   a. WRI
   b. ArcTech
   c. Discussion – Ron Harper
5) $9 Million Advanced Conversion Project Legislation
   (Senator Eli Bebout to join via phone)
   a. Letters
   b. HB 0121
   c. SF 0015
6) Legislative Minerals Committee Meeting – Aug 28
7) Clean Coal Technology Research Symposium
   a. Feedback from task force
9) ACTTF/CCTF Final Reports Stewardship
10) $10 Million Advanced Conversion/Clean Coal Technology Fund
    a. Awards (Executive Session)
11) Out of Executive Session – Awards named Minutes
12) Other Business
13) Adjourn 3:00 PM
Summary of Action Items from Meeting:

1. Minutes of May 18, 2012 – Approved unamended.
3. Discussion of Public Meeting Requirements – No action taken.
4. Update – Economic & Technical Feasibility Studies Info – Discussion - Chairman Harper entertained a motion to not accept the ArcTech report as submitted but asked Arctech to go back and align the report with the project criteria and resubmit a document to serve as a report to the Joint Minerals, Business, and Economic Development Interim Committee. Carl Bauer made the motion as worded by Chairman Harper. Jeane Hull seconded the motion. The motion passed with one dissenting vote.
5. $9 Million Advanced Conversion Project Legislation - Kit Jennings motioned that at the August 28, 2012 Joint Minerals, Business and Economic Development committee meeting Mark Northam report that the Task Force has no projects to recommend for funding at this time that meet the letter of the legislation. The Task Force would like to continue to seek clarity from the legislature as to the types of projects they intend to fund. Vice Chairman Lockhart seconded the motion, and it passed unamended.
7. Clean Coal Technology Research Symposium - No action taken. Follow-up item: Mark will contact the Wyoming Business Council to generate ideas for holding an investors’ forum and report back to the Task Force at the November meeting.
8. Draft Annual Report – Review Feedback – A motion was made to have Diana email copies of the draft annual report to Task Force members with comments returned to her by Friday, September 14, 2012. The motion was seconded and passed unanimously.
9. ACTTF/CCTF Final Reports Stewardship – Chairman Harper asked Diana to resend electronic versions of the clean coal final summary reports to Task Force members for review.
10. Executive Session: $10 Million Advanced Conversion/Clean Coal Technology Fund - A motion to go into executive session was made, seconded, and passed unanimously. A motion to end the executive session was made, seconded, and unanimously accepted.
11. Out of Executive Session – A motion was made to award the remaining $11,050,309 from the Advanced Conversion Technology Research, Clean Coal Program account to 10 proposals. SER will draft a summary document listing the Task Force’s funding recommendations to be submitted to the Joint Minerals, Business and Economic Development Committee. Carl Bauer added to that motion that those projects awarded partial funding be specified in the document. The motion was seconded and passed as amended.
12. Other Business - Kit Jennings motioned to rescind funding to a 2011 clean coal award to Air Products and Chemicals, Inc. Jeane Hull seconded the motion, and it passed unanimously. Vice-Chairman Lockhart moved for Chairman Harper to approve and sign the ACTTF/UW Memorandum of Understanding. Jeane Hull seconded the motion; it passed unanimously.
13. Adjourn – A motion to adjourn was made, seconded, and passed unanimously at 3:30 p.m.

MEETING DETAILS:

1. **Minutes from May 18, 2012:**
   Action Taken: A motion to accept the minutes from the May 18, 2012 meeting was made and seconded. There were no changes to the minutes and the motion passed unanimously.

2. **Minutes from June 18, 2012:**
   Action Taken: A motion to accept the minutes from the June 18, 2012 meeting was made and seconded. There were no changes to the minutes and the motion passed unanimously.

3. **Discussion of Public Meeting Requirements**
   Summary: Jane Caton of the Wyoming Attorney General’s Office and council to the Task Force joined the meeting to discuss changes to the Public Records Act and the Open Meetings Act. Changes that were noted include:
   - Under the Public Meetings Act, meetings held by electronic means must be accessible to the public.
     - This applies when some members are present in a single location and others call in, or when all members call in.
     - The Task Force does not have to provide a call-in number for everyone who might want to attend the meeting via phone. However, the Task Force should provide locations where members of the public may go to attend the meeting, either at the host location or one of the other call-in locations.
   - Changes to the Public Records Act provide deadlines for responding to requests for public records for those who have custody of the records and those who do not.
   - Previously, proposals submitted in response to an RFP were made available to the public after a funding decision had been made. However, with certain limitations set forth in the Public Records Act such proposals should be made available upon request after they have been opened.
     - Simply marking an entire proposal as “Confidential” does not except the proposal from the requirements of the Act. Truly confidential information, as defined by the Act, such as financial information and trade secrets, should be redacted prior to making the proposal available to a requester.
     - SER should contact UW legal services and the Task Force should contact the Wyoming Attorney General’s Office for determining information in a proposal to be withheld.
   - Email correspondence related to meetings and the business of the Task Force, with certain exceptions, is public record that must be provided by the Task Force if requested. This does not mean Task Force members are required to permanently retain such correspondence on their personal computers and smart phones.

   Action Taken: No action taken.
4. **Update – Economic & Technical Feasibility Studies Info - Discussion:**

*Summary:* Bob Ballard introduced Dr. Vijay Sethi of the Western Research Institute (WRI) and Dr. Daman Walia of ArcTech, Inc. as the principal investigators of the two proposals selected by the Task Force on June 18, 2012 to explore improving the use of and expanding markets for Wyoming’s mineral resources. Dr. Sethi and Dr. Walia presented the findings of their economic and technical feasibility studies. They were advised prior to presenting that the meeting was open and public and information contained in the presentations would become open.

The report submitted by WRI was accepted as written. The report submitted by ArcTech did not align with the RFP criteria and was not accepted by the Task Force. Dr. Walia was asked to submit a two page summary to demonstrate how his work aligns with the guidelines of the RFP.

*Action Taken:* Chairman Harper entertained a motion to not accept the ArcTech report as submitted but asked ArcTech to go back and align the report with the project criteria and resubmit a document to serve as a report to the Joint Minerals, Business, and Economic Development Interim Committee. Carl Bauer made the motion as worded by Chairman Harper. Jeane Hull seconded the motion. The motion passed with one dissenting vote.

5. **$9 Million Advanced Conversion Project Legislation:**

*Summary:* Discussion of the $9 million advanced conversion project legislation followed from a letter sent from the Task Force to the legislature requesting clarity on the intent of the funding. Chairman Harper provided both the letter from the Task Force and the legislature's response, and added that he was able to speak with Governor Mead about the issue. The Task Force is not obligated to spend the funds until 2016, if at all. The Task Force agreed to postpone acting on the funding at this time and will continue discussions with the Governor and legislature.

*Comments:* Senator Eli Bebout was to join the Task Force meeting by phone but was unable to call in. Further discussion of the $9 million was tabled until the Task Force could have a conversation with Senator Bebout. Vice Chairman Tom Lockhart added that he had spoken with both Governor Mead and Senator Bebout about the issue, and relayed that both share the Task Force’s position of delaying action on deployment of these funds.

*Action Taken:* Kit Jennings motioned that at the August 28, 2012 Joint Minerals, Business and Economic Development committee meeting Mark Northam report that the Task Force has no projects to recommend for funding at this time that meet the letter of the legislation. The Task Force would like to continue to seek clarity from the legislature as to the types of projects they intend to fund. Vice Chairman Lockhart seconded the motion, and it passed unamended.

6. **Legislative Minerals Committee Meeting – Aug 28:**

*Summary:* Mark Northam communicated to the Task Force what he planned to present at the legislative Minerals Committee meeting, as follows:

- SER Annual Report
- Verbal overview of fiscal year 2012
- Awards made by the Task Force under the Advanced Conversion Technology Fund
- Economic and Technical Feasibility Study
  - Task Force acceptance of one of the reports and reason for non-acceptance of the other
  - Task Force recommendation on proceeding with the $9 million fund
- Uranium research fund annual report and update
- Recommendation from the Task Force on the Glass Manufacturing Study
  - Task Force is asking consideration to broaden the study charged with converting natural resources to glass and glass-products to include other value-added products.

Action Taken: No action taken.

7. **Clean Coal Technology Research Symposium:**
Summary: Mark Northam asked the Task Force to consider ways in which they can help successful SER-funded research projects move forward after completion. He suggested holding a fair for venture capitalists to view successful projects. Vice Chairman Tom Lockhart echoed the need to bring the benefits of clean coal/advanced conversion technology to Wyoming. The Task Force discussed the benefits and potential pitfalls of facilitating work between investors and successful researchers, agreeing that a balance should be struck between picking “winners” and only showcasing certain technologies to investors.

Action Taken: No action taken. As a follow-up, Mark will contact the Wyoming Business Council to generate ideas for holding an investors’ forum and report back to the Task Force at the November meeting.

8. **Draft Annual Report – Review Feedback:**
Summary: Diana Hulme provided copies of the draft clean coal program annual report to the Task Force for review. The report is due to the Joint Minerals, Business, and Economic Development Interim Committee on September 30, 2012.

Comments: Diana asked that the Task Force note that the annual report typically corresponds to the fiscal calendar year or activities from July 1, 2011 to June 30, 2012.

Action Taken: A motion was made to have Diana email copies of the draft report to the Task Force members, with each Task Force member’s comments returned to her by Friday, September 14, 2012. The motion was seconded and passed unanimously.

9. **ACTTF/CCTF Final Reports Stewardship:**
Summary: Diana Hulme noted that at the spring 2012 meeting the Task Force asked to review the summary reports from the clean coal projects prior to posting them on the SER website. Diana Hulme asked the Task Force what they would like to have done with the final summary and technical reports that have been submitted. Chairman Harper asked
Diana to re-send those reports to the Task Force electronically for them to review before posting them on the SER website.

10. Executive Session: $10 Million Advanced Conversion/Clean Coal Technology Fund
    Summary: The ACTTF moved into executive session due to proprietary information in the 2012 Clean Coal/Advanced Conversion Technology Fund proposals. All attendees who were not a member of the Task Force were asked to leave the meeting.

    Action Taken: A motion to go into executive session was made, seconded, and passed unanimously. A motion to end the executive session was made, seconded, and unanimously accepted.

11. Out of Executive Session – Awards named Minutes
    Summary: The Task Force recommended funding 8 of the 33 proposals in full, and recommended partial funding for 2 proposals. In total, 10 proposals were funded at an amount of $11,050,309.

    Action Taken: A motion was made to award the remaining $11,050,309 in funding to 10 proposals. SER will draft a summary document listing the Task Force’s funding recommendations to be submitted to the Joint Minerals, Business and Economic Development Committee. Carl Bauer added to that motion that those projects awarded partial funding be specified in the document. The motion was seconded and passed as amended.

12. Other Business
    Summary:
    - Diana Hulme informed the Task Force that there have been difficulties in negotiating the contract between the University of Wyoming and Air Products and Chemicals, Inc., a 2011 recipient of clean coal technology funds. Contracting between UW and Air Products began in July 2011 and remains ongoing, significantly delaying the project schedule.
      Action Taken: Kit Jennings motioned to rescind funding to Air Products and Chemicals, Inc. Jeane Hull seconded the motion, and it passed unanimously.

    - Chairman Harper reminded the Task Force to respond to Diana by the close of business on September 14, 2012 regarding the draft of the clean coal and uranium legislative reports.

    - Diana asked the Task Force to address updates to the Memorandum of Understanding (MOU) between it and the University of Wyoming. The MOU was changed to reflect the name change from the “Clean Coal Technology Task Force” to the “Advanced Conversion Technology Task Force.”
Action Taken: Vice-Chairman Lockhart moved for Chairman Harper to approve and sign the ACTTF/UW Memorandum of Understanding. Jeane Hull seconded the motion; it passed unanimously.

Motion to adjourn was made, seconded, and passed unanimously.

Meeting adjourned at 3:30 p.m.