



**OFFICE OF ATTORNEY GENERAL**

1302 East SD Highway 1889, Suite 1  
Pierre, South Dakota 57501-8501

Phone (605) 773-3215

Fax (605) 773-4106

<http://atg.sd.gov>

**MARTY J. JACKLEY**  
ATTORNEY GENERAL

**BRENT K. KEMPEMA**  
CHIEF DEPUTY

March 2, 2026

Brenda Binegar  
Department of Agriculture  
and Natural Resources  
523 East Capitol Avenue  
Pierre, SD 57501  
[Brenda.Binegar@state.sd.us](mailto:Brenda.Binegar@state.sd.us)

Re: *In the Matter of the Permit Renewal Application of the City of  
Rapid City, South Dakota for the Rapid City Landfill*

Dear Ms. Binegar:

Enclosed please find the original Notice of Entry of Order to Extend Procedural and Scheduling Order and Certificate of Service intended for filing in the above-referenced matter. True and correct copies have been sent to those individuals listed in the attached Certificate of Service.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "David M. McVey", written over a large, stylized blue scribble.

David M. McVey  
Assistant Attorney General

DMM/mn

Enclosures

Via electronic mail and inter-office mail

cc w/encs: Parties on Attached Certificate of Service

STATE OF SOUTH DAKOTA  
DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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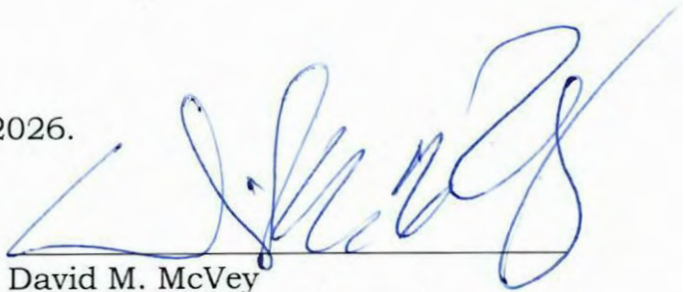
IN THE MATTER OF THE PERMIT	)	
RENEWAL APPLICATION OF THE	)	
CITY OF RAPID CITY, SOUTH	)	NOTICE OF ENTRY OF ORDER
DAKOTA FOR THE RAPID CITY	)	TO EXTEND PROCEDURAL AND
LANDFILL	)	SCHEDULING ORDER
	)	

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TO: ALL INTERESTED PARTIES:

Please take notice that on March 1, 2026, Hearing Chair Bob Morris entered his Order to Extend Procedural and Scheduling Order in the above-referenced contested action. A copy of the signed Order is attached to this Notice and hereby served upon you.

Dated this 2nd day of March 2026.



David M. McVey  
Assistant Attorney General  
1302 East SD Highway 1889, Suite 1  
Pierre, South Dakota 57501-8501  
Telephone: (605) 773-3215  
[David.McVey@state.sd.us](mailto:David.McVey@state.sd.us)  
*Counsel for the Board of Minerals and Environment*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original of the NOTICE OF ENTRY OF ORDER TO EXTEND PROCEDURAL AND SCHEDULING ORDER was served via electronic mail and inter-office mail upon the following to be filed in the above captioned matter:

Brenda Binegar  
Department of Agriculture  
and Natural Resources  
523 East Capitol Avenue  
Pierre, SD 57501  
[Brenda.Binegar@state.sd.us](mailto:Brenda.Binegar@state.sd.us)  
*Secretary, Board of Minerals and Environment*

Further, the undersigned certifies that true and correct copies of the above referenced document(s) were served via electronic mail and United States Mail, First Class, postage prepaid upon the following:

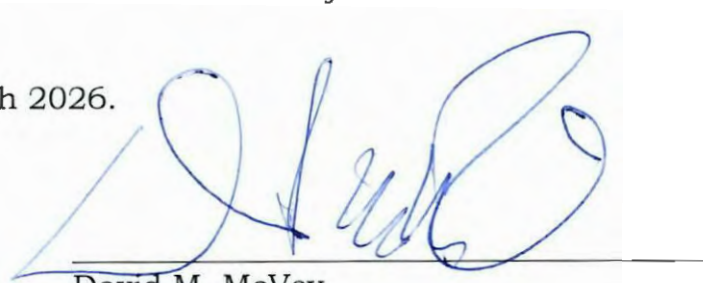
Bob Morris, Hearing Chair  
704 7th Avenue, Suite 2  
P.O. Box 370  
Belle Fourche, SD 57717  
[bobmorris@westriverlaw.com](mailto:bobmorris@westriverlaw.com)

Carla R. Cushman  
Deputy City Attorney  
300 6th Street  
Rapid City, SD 57701  
[Carla.Cushman@rcgov.org](mailto:Carla.Cushman@rcgov.org)  
*Counsel for City of Rapid City*

Steven R. Blair, General Counsel  
Department of Agriculture  
and Natural Resources  
221 Mall Drive, Suite 201  
P.O. Box 6221  
Rapid City, SD 57709  
[Steven.Blair@state.sd.us](mailto:Steven.Blair@state.sd.us)

Verne Goodsell  
Kristi W. Erdman  
Goodsell Oviatt Law Firm  
246 Founders Park Drive, Suite 201  
Rapid City, SD 57701  
[verne@goodselloviatt.com](mailto:verne@goodselloviatt.com)  
[kristi@goodselloviatt.com](mailto:kristi@goodselloviatt.com)  
*Counsel for Petitioners*

Dated this 2nd day of March 2026.



David M. McVey  
Assistant Attorney General

STATE OF SOUTH DAKOTA

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES  
BOARD OF MINERALS AND ENVIRONMENT

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IN THE MATTER OF THE PERMIT  
RENEWAL APPLICATION OF THE CITY  
OF RAPID CITY, SOUTH DAKOTA FOR  
THE RAPID CITY LANDFILL

ORDER TO EXTEND PROCEDURAL  
AND SCHEDULING ORDER

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The Petitioners, The City of Rapid City and The Department of Agriculture and Natural Resources in the above-captioned matter, by and through their respective attorneys, having stipulated to a Motion to Extend Procedural and Scheduling Order regarding the October 26, 2025, Procedural and Scheduling Order entered by the Hearing Chair.

Based upon the stipulation between the parties, it is hereby:

ORDERED that all deadlines in the Procedural and Scheduling Order dated October 26, 2025, are suspended and held in abeyance, and it is further;

ORDERED that the May 4, 2026, Pre-Hearing Conference is cancelled, and it is further;

ORDERED that counsel for the parties shall advise the Hearing Chair when they are able to agree upon an Amended Procedural and Scheduling Order.

Dated this 1<sup>st</sup> day of March, 2026.

BY THE CHAIR:



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Bob Morris, Hearing Chair  
Board of Minerals and Environment