

# Environmental Quality Council

## ❖ *Mission and philosophy*

The Environmental Quality Council (EQC) is a citizen board, appointed by the Governor, to hear and determine all cases or issues arising under the laws, standards, rules, regulations or orders issued or administered by the Department of Environmental Quality and to promulgate all regulations necessary for the implementation of the Environmental Quality Act. The council's mission is to serve as a professional, impartial and independent hearing body in resolving disputes and to apply its experience in evaluating environmental issues in a manner that fulfills the purpose of the act.

## ❖ *Results of outcomes*

The strategic plan for the EQC was significantly revised in the fall of 1997 for the fiscal year beginning July 1, 1998. Thus, much of this past planning year was tracked according to the strategic plan as set forth in the last annual report. Revision was necessary to better organize and focus the strategic plan. The outcomes discussed here are applicable to the modified plan.

The most significant step the EQC took toward meeting its goal and objectives this past year was the addition of a position to the EQC office. In the spring of 1998, the State Legislature approved the budget request for the council, which included funding for a paralegal in the Cheyenne office. A paralegal started in the office and now is working to learn the many procedural requirements for the EQC's work. After a training period, the new position will assist the office in taking on long-term projects, including the revision of the rules of practice and procedure.

The council has met the outcomes that speak of complying with all statutory and regulatory deadlines and achieving a 90 percent approval rate of council orders. One council decision that was appealed to the state courts in the previous year was upheld by the Wyoming Supreme Court. The Legislature was asked to amend the Environmental Quality Act in response to the EQC decision, but no action has been taken at this time. The case arose from a neighborhood versus small mine conflict, and the Legislature is the appropriate body to review the requirements for various mining permits.

During the past year, the council made a concerted effort to keep its docket current and has been successful in moving its cases forward. The council has also met all court and statutory deadlines this past year. One of the tools the director uses to achieve this outcome is a call of the docket every six months. All parties in all cases are contacted for an update on the status of their cases, and this process usually results in an effort to settle a case or a set hearing date. This past year, the council's contested case docket has been

### **General information**

Terri A. Lorenzon, Attorney/Director

### **Agency Contact**

Carmen C. Curtis, Secretary  
307/777-7170  
122 W. 25th St.  
Herschler Building, Room 1714, One West  
Cheyenne, WY 82002  
ccurti@state.wy.us, floren@state.wy.us or  
jgirar@state.wy.us

### **Year established and reorganized**

Established 1973, reorganized into separate operating agency 1993

### **Statutory references**

Environmental Quality Act §§ 35-11-101 through 35-11-1507, W.S. 1999, As Amended

### **Number of authorized personnel**

Three full-time

### **Organizational structure**

The Governor appoints the seven members of the Environmental Quality Council (EQC), and the Senate confirms the appointments. The EQC members are not full-time employees but are reimbursed and paid in the same manner as members of the Legislature. The EQC members and the three-person staff form a separate operating agency. There are no divisions or sections in the organization due to the size of the agency.

### **Clients served**

The council serves the entire state, including private citizens, organizations and businesses.

### **Budget information**

General funds	\$154,013
<b>Total</b>	<b>\$154,013</b>

### **Agency to which group reports**

Does not apply; decisions are appealed to State District Court.

### **Number of meetings**

Average of eight meetings per year (number does not include number of hearings).

### **Meeting frequency**

Meets every two months with several meetings scheduled as needed.

steady and has included a number of contentious matters. The council's docket for hearings on proposed regulations has been very heavy with the Department of Environmental Quality undertaking revisions of their rules for air quality, water quality, land quality and solid/hazardous waste management.

The coming year promises to be much as this past year with a heavy agenda of regulation revisions and contested matters. One of the topics affecting many state agencies has also brought new cases and new issues to the EQC, and that is the development of coal bed methane resources. In addition, the EQC will be starting regulation revision hearings on Chapter I of the Water Quality Regulations, and because Chapter I sets the standards and program for surface waters in the state, these regulations will be of great interest to the public.

### ❖ *Strategic plan changes*

The plan is being rewritten and the changes have not yet been approved by the EQC.

**Goal for 1998-99:** To provide a fair hearing in all matters that come before the council.

**Objective A:** Conduct all hearings in accordance with applicable statutes, regulations and court rules.

**Objective B:** Facilitate public participation in EQC hearings by maintaining complete, accessible public files and implement office procedures that promote public participation on the administrative hearing process.

## Environmental Quality Council organization chart

