

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 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. Most of the previous plan has been incorporated into the modified plan. The outcomes discussed here are applicable to both plans.

The most significant step EQC took toward meeting its goal and objectives this past year was seeking 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. This new position will be able to take on tasks for the director of the agency and the director can then focus more time on strategic planning outcomes such as revision of the rules of practice and procedure. In addition the new position will work directly on such projects for the director. In the past year the rule revisions as well as development of a Web page for EQC, development of alternate dispute resolution procedures, and publication of a handbook have been suspended pending the addition of the paralegal.

The council has met the outcomes which speak of compliance with all statutory and regulatory deadlines and achieving a 90 percent approval rate of council orders. Only one council decision was appealed to the state courts in the past year, and the final decision from the Supreme Court has not been issued. The factual scenario that resulted in the case before the council and the Supreme Court is being addressed by the Legislature. The case arose from a neighborhood versus small mine conflict, and regardless of the court's decision, 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

General information

Terri A. Lorenzon, Attorney/Director

Agency contact

Carmen C. Curtis, Secretary
(307) 777-7170
122 W. 25th Street
Herschler Bldg., Rm. 1714, 1 West
Cheyenne, WY 82002
ccurti@missc.state.wy.us
tloren@missc.state.wy.us

Year established and reorganized

Established 1973, reorganized into separate operating agency 1993

Statutory references

Environmental Quality Act §§ 35-11-101-1507
W.S. 1997, as Amended

Number of authorized personnel

3

Organization structure

The governor appoints the seven members of the Environmental Quality Council (EQC), and the Senate confirms the appointments. 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.

Clients served

Wyoming residents, organizations and businesses.

Budget information

General funds	\$131,875
Total	\$131,875

Agency to which group reports

Does not apply. Decisions are appealed to State District Court

Number of meetings

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

Meeting frequency

Every two months, with several meetings scheduled as needed.

the status of their cases, and this process usually results in an effort to settle a case or to set a hearing date. This past year the council's contested case docket has not been heavy but 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.

Several outcomes specified in the EQC strategic plan deal with the public aspect of the council's responsibilities. The council has maintained complete public files that are open to the public and is beginning a complete review of the files to address issues such as confidentiality. Additional measures to assure confidentiality are being taken in the setup and operating procedures for a new computer system.

• *Strategic plan changes*

Goal for 1999: 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 in the administrative hearing process.

Environmental Quality Council organization chart

