

March 2, 2016 Minutes
For the Environmental Quality Council

The Council met on March 2, 2016 at 9:00 a.m. The meeting was held in Room 1699, Herschler Building, Cheyenne WY. Present from the Council were Dr. Dave Bagley, Tim Flitner, Meghan Lally, Aaron Clark, Nick Agopian, and Megan Degenfelder. Councilman Rich Fairservis was absent. Also present were Jim Ruby, Executive Officer, and Joe Girardin, Paralegal. Dave Ross of the Attorney General office gave a case update on Docket 11-3204A. The parties had finalized all the necessary improvements at the petitioner's business and had withdrawn their appeal. The Council approved an Order of Dismissal. Meghan Lally moved to approve the order of dismissal. Megan Degenfelder seconded the motion. Voting Aye: Agopian, Bagley, Clark, Degenfelder, Lally. Voting Nay: None. Tim Flitner, Rich Fairservis was absent.

Nick Agopian moved to approve the November 19, 2015 minutes. The motion was seconded by Meghan Lally.
Voting Aye: Agopian, Bagley, Clark, Degenfelder, Lally Voting Nay: None. Tim Flitner and Rich Fairservis were absent

At 9:30 a.m. the public hearing on Docket 16-4101 a rulemaking proceeding on Land Quality Division Coal Chapter 14 was held. The public hearing was held in Room 1699, Herschler Building, Cheyenne WY. Present from the Council were Dr. Dave Bagley, Tim Flitner, Meghan Lally, Aaron Clark, Nick Agopian, and Megan Degenfelder. Councilman Rich Fairservis was absent. Also present are Jim Ruby, Executive Officer, and Joe Girardin, Paralegal.

Mr. Craig Hultz, B.J Kristiansen, Kim Medina, Carol Bilbrough presented the rule package. No one appeared to testify on the rule package.
Aaron Clark moved to approve the rule package and the Statement of Principal Reasons. Nick Agopian seconded the motion.
Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally
Voting Nay: none
Absent: Fairservis

Nick Agopian moved to approve the following NOV and Orders
In Re Welty's Alta K. Living Trust Docket 15-5207
In Re Barb's Conoco Docket 15-5209
In Re Tie Siding General Store Docket 15-5208
Aaron Clark seconded the motion:
Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally
Voting Nay: none
Absent: Fairservis

Megan Degenfelder moved to approve NOV and Order of In Re City West Docket 15-5211.
Nick Agopian seconded the motion.
Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally
Voting Nay: none
Absent: Fairservis

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Dave Ross of the Attorney General office gave a case update on Docket 11-3204A. The parties had finalized all the necessary improvements at the petitioner's business and had withdrawn their appeal. The Council approved an Order of Dismissal. Meghan Lally moved to approve the order of dismissal. Megan Degenfelder seconded the motion. Voting Aye: Agopian, Bagley, Clark, Degenfelder, Lally. Voting Nay: None. Tim Flitner, Rich Fairservis was absent.

Nick Agopian moved to approve the November 19, 2015 minutes. The motion was seconded by Meghan Lally.
Voting Aye: Agopian, Bagley, Clark, Degenfelder, Lally Voting Nay: None. Tim Flitner and Rich Fairservis were absent

At 9:30 a.m. the public hearing on Docket 16-4101 a rulemaking proceeding on Land Quality Division Coal Chapter 14 was held. The public hearing was held in Room 1699, Herschler Building, Cheyenne WY. Present from the Council were Dr. Dave Bagley, Tim Flitner, Meghan Lally, Aaron Clark, Nick Agopian, and Megan Degenfelder. Councilman Rich Fairservis was absent. Also present are Jim Ruby, Executive Officer, and Joe Girardin, Paralegal.

Mr. Craig Hultz, B.J Kristiansen, Kim Medina, Carol Bilbrough presented the rule package.

No one appeared to testify on the rule package.

Aaron Clark moved to approve the rule package and the Statement of Principal Reasons. Nick Agopian seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Nick Agopian moved to approve the following NOV and Orders

In Re Welty's Alta K. Living Trust Docket 15-5207

In Re Barb's Conoco Docket 15-5209

In Re Tie Siding General Store Docket 15-5208

Aaron Clark seconded the motion:

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Megan Degenfelder moved to approve NOV and Order of In Re City West Docket 15-5211.

Nick Agopian seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Nick Agopian moved to approve NOV and Order of In Re Mountain Construction Docket 15-3203. Aaron Clark seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Megan Degenfelder moved to approve the following Administrative Orders on Consent.

Town of Wheatland 10-5907

Central Weston County Solid Waste Disposal District 16-5901

Town of Manville 15-5907

City of Douglas 15-5906

Town of Lusk 15-5904

Ten Sleep Solid Waste District 16-5902

In Re Lincoln County Thayne Transfer Station Landfill Docket 16-5903

In Re City of Rawlins Municipal Solid Waste Landfill Docket 16-5904

In Re Rock River Docket 16-5905

Aaron Clark seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Docket 15-1101 was a Petition for rulemaking to allow for electronic comments.

Aaron Clark moved to approve the order in Docket 15-1101.

Megan Degenfelder seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Nick Agopian moved to approve the 6th settlement agreement and the order of modification in Docket 00-5402.

Meghan Lally seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

At 1:30 p.m. the chairperson, Dr. Dave Bagley, opened the public hearing on Docket 16-2101 a rulemaking proceeding on Chapter one of the Rules of Practice and Procedure for the EQC. This public hearing was held in Room 1699, Herschler Building, Cheyenne WY. Present from the Council were Meghan Lally, Aaron Clark, Nick Agopian, and Megan Degenfelder. Tim Flitner appeared a few minutes into the hearing. Rich Fairservis was absent. Also present were Jim Ruby, Executive Officer, and Joe Girardin, Paralegal and Mackenzie Williams.

Present from the DEQ Air Quality Division were Nancy Vehr, Amber Potts, Elizabeth Morrisseau. No one appeared to testify on the bill in any capacity.

The public hearing was closed and Nick Agopian moved to approve the rule package and the Statement of Principal Reasons. Megan Degenfelder seconded the motion. There was a short discussion by the Council as to how many current members of the Council were impacted by the rule. The current membership contains 3 members who clearly qualify under the new rule are Dr. Dave Bagley, Megan Degenfelder and Nick Agopian.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Nancy Vehr was formally introduced as the Air Quality Division Administrator. Ms. Vehr and her staff presented an overview of the scope of the Air Quality Division responsibilities.

Aaron Clark moved to adjourn.

Meghan Lally seconded the motion.

Voting Aye: Agopian, Bagley, Clark, Degenfelder, Flitner and Lally

Voting Nay: none

Absent: Fairservis

Dated 15, June, 2016


Chair

Secretary