

ENVIRONMENTAL QUALITY COUNCIL MEETING MINUTES

MARCH 22, 2016

Joe Citta, Chair, called the meeting of the Nebraska Environmental Quality Council (EQC) to order at approximately 9:08 am, Central Time, March 22, 2016. The meeting was held at the Cornhusker Marriott Hotel, 333 South 13th Street, Lincoln, Nebraska. Public notice of the meeting and scheduled public hearings was published more than 30 days prior to the meeting in accordance with the law. Mr. Citta read a statement at the beginning of the meeting informing the public attending the meeting of the location of a current copy of the Open Meetings Act at the back of the meeting room.

ROLL CALL

Present at roll call were Mr. Anderson, Ms. Bucklin, Mr. Buhl, Mr. Citta, Mr. Czaplewski, Mr. Dilsaver, Mr. Gangwish, Mr. Grams, Mr. Hawks, Mr. Hedquist, Mr. Kinter, Ms. Maricle, Mr. Turnbull, and Mr. Zuhlke. Absent were Mr. Dahab, Mr. Hall, and Dr. Sheppard. Fourteen members present, constituting a quorum.

ANNOUNCEMENTS

None.

APPROVAL OF MINUTES

Mr. Kinter made a motion to approve the minutes from the November 12, 2015 meeting. Mr. Grams seconded the motion. Voting in favor were Mr. Anderson, Ms. Bucklin, Mr. Buhl, Mr. Citta, Mr. Czaplewski, Mr. Dilsaver, Mr. Gangwish, Mr. Grams, Mr. Hawks, Mr. Hedquist, Mr. Kinter, Ms. Maricle, Mr. Turnbull, and Mr. Zuhlke. Fourteen voting yes, the motion carried.

REPORTS OF EQC MEMBERS

None.

DIRECTOR'S REPORT

Director Macy provided a written report to the Council. A copy of this report is attached to these minutes.

Mr. Zuhlke stated he recognizes the challenges of our staff retirement situation and asked if vacancies are still being filled. Director Macy stated that DEQ has filled most of the field office staff positions at this time and are currently working to complete the hiring process for staff positions.

OLD BUSINESS

None.

NEW BUSINESS

Carla Felix, DEQ Government Relations, gave a brief summary of the legislative bills that DEQ is currently watching.

NEXT MEETING

Alicia Boss, DEQ Director Staff Assistant, reported on scheduling the next EQC meeting in June in Norfolk. She said she will be sending an email to council members regarding their availability earlier in the week of June 13-17. Once she receives feedback from members and staff, she will send an email confirming the dates and location details for the next EQC meeting. Several council members noted that Mondays are difficult to attend.

PUBLIC HEARING ON AMENDMENT OF TITLE 129, NEBRASKA AIR QUALITY REGULATIONS

Chair Citta explained that DEQ had decided to withdraw its proposed amendments due to an inadvertent error and will consider re-proposing the amendments at a later date, so the hearing was cancelled.

PUBLIC HEARING ON AMENDMENT OF TITLE 128, NEBRASKA HAZARDOUS WASTE REGULATIONS

Carla Felix, Hearing Officer, opened the hearing. The following exhibits were received:

- Order appointing Carla Felix as Hearing Officer marked (Exhibit 1)
- Proof of publication of legal notice (Exhibit 2)
- Proposed Amendments to Title 128, Nebraska Hazardous Waste Regulations (Exhibit 3)
- A memorandum from David Haldeman, DEQ Land Management Division Administrator, to the Environmental Quality Council, dated February 1, 2016, Regarding "Explanatory Statement for Proposed Amendments to Title 128 – Nebraska Hazardous Waste Regulations" (Exhibit 4)
- Fiscal Impact Statement (Exhibit 5)
- An email from Mike Brincks, U.S. EPA Region 7, to Carla Felix, DEQ, dated March 10, 2016, regarding EQC March 22, 2016 (Exhibit 6)
- A copy of the PowerPoint presentation titled, "Proposed Amendments to Title 128 – Nebraska Hazardous Waste Regulations," presented by David Haldeman, DEQ (Exhibit 7)
- Testifier List for the June 4, 2015, public hearing (Exhibit 8)

David Haldeman, DEQ Land Management Division Administrator, provided testimony and a PowerPoint presentation explaining the proposed amendments. No one from the public provided testimony before the Council.

The Hearing Officer closed the hearing and returned the conduct of the meeting to the Chair.

Mr. Hedquist made a motion to approve the proposed amendments to Title 128. Mr. Czaplewski seconded the motion. Ms. Bucklin thanked DEQ for its fantastic outreach for these proposed amendments. David Haldeman recognized Brian McMullen as the staff responsible for much of the hard work. Voting in favor were Mr. Anderson, Ms. Bucklin, Mr. Buhl, Mr. Citta, Mr. Czaplewski, Mr. Dilsaver, Mr. Gangwish, Mr. Grams, Mr. Hawks, Mr. Hedquist, Mr. Kinter, Ms. Maricle, Mr. Turnbull, and Mr. Zuhlke. Fourteen voting yes, the motion carried.

OTHER REMARKS

An email to the council regarding the CWSRF and DWSRF audit was previously sent but may have not been delivered due to technical issues. Alicia Boss will resend the email to the council members.

Ms. Bucklin thanked DEQ for the comment opportunity on inspections as a member of NICE.

Mr. Grams inquired about upcoming Environmental Update meetings hosted by DEQ. More information regarding these outreach meetings will be sent to the council members soon.

Mr. Citta commented on the ease and efficiency of using the online application process with DEQ. It works great and DEQ did a good job of implementing the process quickly.

Chair Citta adjourned the meeting at approximately 10:16 a.m. CT.

Respectfully submitted,



Jim Macy
Director