

CHAPTER 3:

Environmental Quality Council

The Environmental Quality Council was established through the Nebraska Environmental Protection Act as the body that adopts rules and regulations which set air, water and land quality standards in order to protect the public health and welfare of the state. They adopt regulations that guide the activities and responsibilities of the Nebraska Department of Environmental Quality. In addition, the Governor appoints the Director of the Department of Environmental Quality based on candidates recommended by the Council.

The Council has 17 members who are appointed by the Governor to four-year terms. Appointments require legislative approval. Council members represent: the food manufacturing industry; conservation interests; the agricultural processing industry; the automobile or petroleum industry; the chemical industry; heavy industry; the power generating industry; crop production; labor; the livestock industry; county government; municipal government (two members, one of which represents cities not of the primary or metropolitan class); a professional engineer; a biologist; a representative of minority interests; and a doctor with knowledge about the human health aspects of air, water and land pollution.

The Council meets quarterly. The Department of Environmental Quality publishes notice of these meetings together with an agenda and a description of proposed regulations to be considered. At these meetings, the Council holds public hearings on the proposed regulations. Any interested person may submit written comments on the proposed regulations and/or testify at the public hearing. The Council considers these comments and testimony prior to making a decision on whether to adopt, modify or deny new state environmental regulations and amendments to existing regulations. The Council can also consider rule-making petitions submitted by the public.

Although the Council is responsible for review and adoption of rules and regulations, it does not have involvement or oversight in the administrative functions or day-to-day responsibilities of the agency. The Director of the Department of Environmental Quality is responsible for administration of the department and the rules and regulations adopted by the Council.

Following are two tables. The first lists the council members, the second summarizes Council actions during FY2011.

Council Members

Representing	Council member	Term expires
Agricultural Crop Production	Rod Gangwish Shelton	June 22, 2013
Ag Processing Industry	Douglas Anderson Aurora	June 22, 2015
Automotive/Petroleum Industry	Mark Whitehead Lincoln	June 22, 2013
Biologist	Mark Czaplewski Grand Island	June 22, 2013
Chemical Industry	Donald E. Williams Orchard	June 22, 2015
Conservation	John C. Turnbull York	June 22, 2015
County Government	Earl McNutt McCook	June 22, 2015
Food Products Manufacturing	Michelle Bucklin Omaha	June 22, 2013
Heavy Industry	John Kinter Norfolk	June 22, 2015
Labor	Robert Hall Wahoo	June 22, 2013
Livestock Industry	Alden Zuhlke Brunswick	June 22, 2013
Minority Populations	Dr. Ethel Williams Omaha	June 22, 2013
Municipal Government	Vern Powers Hastings	June 22, 2015
Municipal Government	Lance Hedquist South Sioux City	June 22, 2013
Physician	Ronald Sheppard Callaway	June 22, 2015
Power Generating Industry	Joseph Citta, Jr., Columbus	June 22, 2013
Professional Engineer	John T. Baker Scottsbluff	June 22, 2015

**FY 2011
Environmental Quality Council Actions**

Council Meeting Date	Regulation	Action
July 15, 2010	Amendments to Title 129 – Nebraska Air Quality Regulations	Approved
	Amendments to Title 198 – Rules and Regulations Pertaining to Agricultural Chemical Containment	Approved
	State Revolving Fund Intended Use Plan	Approved
	Program Priority Systems for the Waste Reduction and Recycling Incentive Grants Fund	Approved
	Amendments to Program Priority Systems to Waste Reduction and Recycling Incentive Grants Fund for Deconstruction Applications	Approved
December 1, 2010	Amendments to Title 129 – Nebraska Air Quality Regulations	Approved
	Amendments to Title 129 – Nebraska Air Quality Regulations, Greenhouse Gas Rule	Approved
	Amendments to Title 130 – Rules and Regulations Pertaining to Livestock Waste Control	Approved
	Amendments to Title 119 – Rules and Regulations Pertaining to the Issuance of Permits under the National Pollutant Discharge Elimination System (Permit by Rule)	Approved
	Amendments to Title 198 – Rules and Regulations Pertaining to Agricultural Chemical Containment	Approved
	2011 Funding Percentage Allocations for the Litter Reduction and Recycling Grant Program	Approved
	Amendments to Title 199 – Waste Reduction and Recycling Incentive Grants Program	Approved
	Amendments to Title 132 – Integrated Solid Waste Management Regulations	Approved
June 23, 2011	Amendments to Title 130 – Rules and Regulations Pertaining to Livestock Waste Control	Approved
	Amendments to Title 131 – Rules and Regulations for the Wastewater Treatment Facilities and Drinking Water Construction Assistance Program	Approved
	Amendments to Title 129 – Air Quality Regulations	Approved
	Fiscal Year 2012 Clean Water and Drinking Water State Revolving Funds Intended Use Plan	Approved
	Citizen Rulemaking Petition to Regulate Fossil Fuel Carbon Dioxide Emissions	Denied