

VAN HYNING

Bob Hebeck
Air Resources Management Bureau
Montana Department of Environmental Quality
P.O. Box 200901
Helena, Montana 59620-0901

March 6, 2012

SUBJ: Legislative Environmental Quality Council Review

Dear Bob:

I was appointed by Governor Brian Schweitzer to the Air Pollution Control Advisory Council as the Conservationist member in 2010. Other than the orientation meeting in Helena, I have never been called to a council meeting but have been asked to comment on a number of decision making rules of the DEQ. I have taken some interest in this Legislative interim legislative committee's hearing to review the statutorily-established agency advisory councils and make recommendations to the next legislature on whether each council should be retained or eliminated.

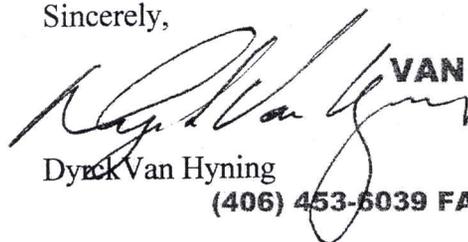
I believe there is great need for the DEQ to have transparency and a forum for public input on air quality regulations. The Air Pollution Control Advisory Council is composed of ten members appointed by the Governor may not be the best format to accomplish public input. These proposed rules are technical scientific documents. Many of these 10 council members may not be interested in or have the scientific background to comment.

An alternative for the DEQ may be the Clean Air Act Advisory Committee. This committee reviews rule making topics each quarter and invites from a mailing list of 200 public, private and governmental organizations to meet and comment.. Some of these committee member may be more interested and have the technical background to comment on the proposed rule.

As a food broker, I have customers across the state who I personally call on at their places of business. Eastern Montana in the Culbertson-Sidney area is experiencing the oil boom and has a tremendous DUST problem. Roads are being built everywhere across fields and coulees with truck traffic constant night and day. DUST is everywhere. Closer to my home, Teton, Pondera and Glacier counties may be experiencing the same problems in the near future. The DEQ must be on top of this.

I have to be at another meeting in Lewistown today at this same time. Please consider my comments.

Sincerely,



Dyck Van Hyning

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EQC
March 8, 2012
Exhibit 3