

**FILED**

**AUG 07 2009**

*Jim Ruby, Executive Secretary  
Environmental Quality Council*

**EQC Testimony  
Cheyenne, WY  
August 18, 2009**

**“Docket No. 09-1101--Crumpley et al. Citizen Petition. AQ Rulemaking”**

Dear Members of the Environmental Quality Council,

My name is David J. Bell. I am Vice-President of Tegeler and Associates and am a commercial insurance agent with a client base throughout the four state region. Our agency has 13 offices located throughout Wyoming. We are the largest Wyoming-owned insurance agency in the state.

I specialize in insuring all types of commercial business enterprises including hospitality oriented risks and oil-field exposures of all types. I like to say that if it is big, black and smokes, I write it!!

I have lived in Pinedale for nearly 17 years and have raised my family of two children in this fine community. They are graduates of the Pinedale School system and are both launched and productive citizens—meaning they don't live at home and have their own careers. I have been married for 33 years. I am proud to serve on the Green River Valley Land Trust Board, the Sublette County Recreation Board, the Wells Fargo Bank Community Advisory Board and the Wyoming Senior Winter Games Organizing Committee.

My insurance career is my second career. I have been involved in running local chambers of commerce in SD, WY and CO for the first 17 years of my life after college. As such I was in and out of businesses of all types and sizes, being involved with these businesses at a number of levels—from the local level to work at the state level on their behalf, and that of the business community in general.

My remarks today are an expression of concern about the overall state of regulation in America. I can only characterize it as a “death by a thousand cuts”. It is an accumulation of observations from my years of interaction with businesses as a Chamber Manager and now a commercial insurance agent. As these years have progressed and my accumulated experiences have tallied, it is all too apparent that in America today the business of our country is no longer business, but that of regulation.

I realize this board has a narrow focus in the overall scheme of things. You are responsible for overseeing issues that relate to the environment and the quality of that environment. Your little slice of the regulatory pie represents only several cuts of the “death by a thousand cuts” reality of operating a business in America today. But, it is a reality.

As I drive the back roads of Wyoming seeing my clients, visiting with them about their problems and opportunities, I hear of more problems than opportunities. The struggles

are usually about regulation and compliance on any number of issues—DOT, EPA, OSHA, DEQ, Sales and Use Tax, IRS, Forest Service....well you get the picture.

But also, as I drive the back roads of Wyoming, I see the stacked rigs—Sand Draw, Big Piney, Farson, Wamsutter, Evanston, Rock Springs, Buffalo, Gillette, Ucross, etc, etc. Is this death by a thousand cuts—I think so. Wyoming is an expensive place to do business. We rank 48<sup>th</sup> nationally in regulatory burden. In part that is because we have a high percentage of federal land—but it is a fact, it is hard to do business here. But it is also about the families who will leave, and their children who will not have jobs or opportunities.

This little slice of proposed regulation seems like a great idea. Why not lower the Ozone requirements? What difference can it make? It is just a little change?

I am a photographer—I have a great hobby and love taking pictures. I notice the sky and notice its degradation. I particularly notice it during the summer during forest fire season, due to our dying forests and poor management of those forests by the regulators.

But, back to this little piece of proposed regulation—sure seems like a good idea. But, is it needed? Will it accomplish anything? Or will it just divert resources from more important things and ultimately reduce more meaningful progress on the issue it proposes to address?

I think it will accomplish nothing but divert needed resources. I also think it is a diversion designed to make for a few more nicks or cuts with the hope it will further wound the folks creating jobs and providing a living for our citizens. Death by a thousand cuts. Maybe those drillers will go somewhere else. But certainly not in my backyard.

The DEQ has a small staff. That staff is working diligently with the cooperation of industry to address the “problems” which result from the Sublette County development. Redundancy in regulation is a major expense to business in America. The EPA has already been asked by the Obama Administration to review the limits. Why have both conducting the same exercise?

I think the record is clear. The Operators have bent-over-backwards to address every issue raised by government regulators and citizens. Air quality, water quality, reclamation, dust control, emission control, and on and on. The list goes on and on, and continues to grow. All adding additional cost to the projects. More little nicks and cuts. Maybe there is cheaper gas to develop in Pennsylvania, Texas or Louisiana, or other parts of the world?

As a citizen I grow increasingly concerned for my children and our country. Where will the jobs come from? Where will the tax dollars come from? How will the commitments our government has made be honored? How will our country be competitive in an increasingly competitive world marketplace?

It strikes me that current government economic policy will never solve the chronic economic problems of job outsourcing, high taxes and economic stagnation or decline. Put bluntly, our economic problem is that our current standard of living in the U.S. is no longer justified by our collective productivity. This unsustainable situation can only be maintained by either selling off assets of the country (our balance of trade problem) and/or borrowing more money (national deficit).

But, I am off track. I urge this board to consider a broader perspective as you deliberate about this petition. Is this a reasonable solution? Does it really address the problem? Is there really a problem? Does that problem need another fix, or is it already being addressed?

Death by a thousand cuts! Painful and humiliating. It seems to me we are watching it everyday on the news. And it is our country.

I urge this Board to deny this petition. ("Docket No. 09-1101--Crumpley et al. Citizen Petition. AQ Rulemaking")

Thank-you!

*s/David J. Bell*

David J. Bell  
P.O. Box 1738  
Pinedale, WY  
82941

307-360-7604 (cell)