



# BEP FACT SHEET

## Board of Environmental Protection

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### What is the Board of Environmental Protection or BEP?

The BEP is a ten-member citizen board whose members are appointed by the Governor and confirmed by the Legislature. The purpose of the Board is to provide informed, independent and timely decisions on the interpretation, administration and enforcement of the laws relating to environmental protection and to provide for credible, fair and responsible public participation in department decisions.

The Board is administratively part of the Department of Environmental Protection; however, statute directs the Board to exercise independent judgment on the matters before it. The Board is not bound by the views of others, or in the case of an appeal, the Commissioner's decision. Board members serve staggered four-year terms, and no member may serve more than two consecutive terms. The Chair is appointed by the Governor. State law requires that at least four members reside in the First Congressional District and four in the Second District. Board members are volunteers and not Department employees.

### What are the Board's responsibilities?

The Board works with the Commissioner and Department staff to implement the State's environmental laws. The Board's duties are specified in law and include:

- **Rulemaking:** The Board holds public hearings on rules proposed by the Commissioner and must approve a rule for it to become effective.
- **Appeals of Commissioner Licensing Decisions:** Any person aggrieved by a licensing decision of the Commissioner may appeal that decision to the Board by the deadline established in law. The Board will review the matter at a regular Board meeting and may approve, approve with conditions, or deny the license.
- **Major Applications:** State law requires that some applications be decided by the Board. Additionally, applications that the Board determines involve important policy questions, have the potential to impact a broad geographic area, or have generated substantial public interest are decided by the Board after opportunity for a public hearing.
- **Enforcement:** The Board reviews and approves administrative consent agreements to resolve violations and hears appeals of emergency orders issued by the Commissioner.
- **License Modification, Revocation or Suspension:** In response to a petition and after opportunity for a hearing, the Board may modify a license, issue an order requiring corrective action, or act in accordance with the Maine Administrative Procedure Act to revoke or suspend a license if necessary to protect public health or the environment or to ensure compliance with environmental laws.
- **Report to the Legislature:** The Board has a responsibility to report periodically to the Legislature on the effectiveness of environmental laws and to make recommendations for amending those laws.

### Who serves on the Board?

Members are selected by the Governor to represent a broad range of interests and experiences. Current members have professional backgrounds in municipal government, economic and community development, engineering, aquatic biology, education, environmental law, business management, wildlife biology, forestry, microbiology, and public administration.

**For more information:** Visit the DEP web page [www.maine.gov/dep](http://www.maine.gov/dep) and click on Board of Environmental Protection.