

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL STATE OF WYOMING

IN THE MATTER OF THE ADDITION OF SECTION ) STATEMENT OF
SIXTEEN OF CHAPTER ONE OF THE WYOMING ) PRINCIPAL REASONS
DEPARTMENT OF ENVIRONMENTAL QUALITY ) FOR ADOPTION
RULES OF PRACTICE AND PROCEDURE )
)

- 1. The Environmental Quality Council, pursuant to the authority vested in it by the Wyoming Statutes 35-11-112 (a)(i), has revised, removed, or added the following chapters and sections to the Wyoming Department of Environmental Quality (DEQ) Rules of Practice and Procedure: Chapter 1, General Rules of Practice and Procedure, Section 16, Air Quality Division, State Implementation Plan.
2. Section 35-11-202 (a) of the Environmental Quality Act states that the Administrator, after consultation with the Advisory Board, shall recommend to the Director such ambient air standards or emission control requirements that may be necessary to prevent, abate, or control pollution.

Section 35-11-202 (b) of the Act states that in recommending such standards or requirements the Administrator shall consider all facts and circumstances bearing upon the reasonableness of the emissions involved including:

- (A) The character and degree of injury to, or interference with the health and physical well being of the people, animals, wildlife and plant life;
(B) The social and economic value of the source of pollution;
(C) The priority of location in the area involved;
(D) The technical practicability and economic reasonableness of reducing or eliminating the pollution; and
(E) The social welfare and aesthetic value.

- 3. Chapter 1, General Rules of Practice and Procedure was revised through the addition of Section 16, Air Quality Division, State Implementation Plan. This addition ensures that the Environmental Quality Council remains in compliance with Section 128 of the Clean Air Act, and that the State of Wyoming remains in compliance with federal standards concerning board composition. This revision will not impact any of DEQ's other divisions. The revisions to Section 16, Air Quality Division, State Implementation Plan, involve changes to the State Implementation Plan (SIP).

The Council finds that these regulations are reasonable and necessary to accomplish the policy and purpose of the Act, as stated in W.S. 35-11-102, and that they have been promulgated in accordance with rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this 2 day of March, 2016.

David M. Bagley
Hearing Examiner - Printed Name
Wyoming Environmental Quality Council

[Signature]
Hearing Examiner - Signed Name
Wyoming Environmental Quality Council