

Wyoming Environmental Quality Council

The Wyoming Environmental Quality Council (EQC) will consider proposed revisions to Wyoming Department of Environmental Quality (WDEQ) Rules of Practice and Procedure at a public hearing to be held on November 17, 2016 at the Herschler Building, Room 1699, 122 W 25th St, Cheyenne, Wyoming, commencing at 10:30 a.m. (MST).

The WDEQ, pursuant to the authority vested in it by the Environmental Quality Act, Wyoming Statute (W.S.) § 35-11-112(a)(i), proposes to revise the Rules of Practice and Procedure Chapters 1, 2, 3, 5, 6, and 7. The Department is also proposing to repeal Chapter 4 in its entirety and to repeal Chapter 6 and replace it with a new Chapter 9. The proposed revisions adopt as much of the uniform contested case rules developed by Wyoming Office of Administrative Hearings as is consistent with the specific and distinct requirements of WDEQ and EQC and state or federal law governing or applicable to WDEQ and EQC, in accordance with W.S. 16-3-103(j). The proposed revisions also update and clarify requirements applicable to rulemaking, petitions for award of costs and expenses under W.S. 35-11-437(f), director review involving surface coal mining operations, hearings before the department, and very rare or uncommon areas. The Department has evaluated the revised rules in accordance with W.S. § 9-5-304, and interested persons may inspect a copy of that evaluation and the proposed rule package at the following address: Department of Environmental Quality, Financial Center, Suite 400, 200 E. 17th Street, Cheyenne, Wyoming. Electronic copies are available at the EQC website identified below. Questions and requests for copies of the proposed rules may be directed to Alan Edwards, WDEQ Deputy Director, at (307) 777-7937 (phone), (307) 635-1784 (fax), or alan.edwards@wyo.gov (email).

The EQC will consider the proposed rules, written and electronically filed comments, and WDEQ's Analysis of Comments, along with any modifications proposed by the WDEQ to the draft rules. At the public hearing, statements that focus on previously received comments, the WDEQ's Analysis of Comments, and issues raised by the analysis will be accepted. The EQC will determine if the record will remain open beyond the close of the scheduled hearing. The EQC may, however close the record and make a final decision regarding the rules at the conclusion of the hearing.

Comments on the proposed revisions may be submitted beginning September 9, 2016 and ending at 5:00 p.m. (MST) on October 24, 2016. Written comments should be sent to the Wyoming Department of Environmental Quality, 200 W 17th St, Cheyenne, Wyoming, 82002 or faxed to (307) 635-1784. Electronic comments may only be submitted through and accepted by the WDEQ comment portal provided at: <http://deq.wyoming.gov/wqd/resources/public-comments-online/>. The WDEQ will file an Analysis of Comments with the EQC prior to the November 17, 2016 public hearing. The proposed rules, comments submitted, and the response to comments will be posted on the Council's website at: <https://eqc.wyo.gov/Public/Dockets.aspx> under Docket #16-1101.

Any person wishing to use a digital presentation during their testimony before the EQC must provide a digital copy to the EQC no less than three (3) days prior to the hearing unless they contact the EQC and request an extension for good cause. Failure to submit a timely digital copy will result in the person not being allowed to use the presentation during their testimony.

In accordance with the Americans with Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities.