

## The Wyoming Department of Environmental Quality

The Wyoming Environmental Quality Council (EQC) will consider proposed changes to the Wyoming Air Quality Standards and Regulations (WAQSR) brought forth by the Wyoming Department of Environmental Quality (WDEQ), Air Quality Division (Division) at a public hearing to be held on November 17, 2016, in Room 1699 of the Herschler Building, 122 West 25<sup>th</sup> Street, Cheyenne, Wyoming, commencing at 1:30 p.m. (MST).

The proposed rulemaking will involve revising WAQSR Chapter 2, Sections 6 and 12; Chapter 3, Section 9; Chapter 4, Section 6; Chapter 5, Section 2 and 4; Chapter 6, Sections 3, 4, and 14; Chapter 7, Section 3; Chapter 8, Section 10; and Chapter 11, Section 2. Sections being updated to adopt by reference from the Code of Federal Regulations (CFR) for July 1, 2016 include: Chapter 2, Ambient Standards, Section 12, Incorporation by reference; Chapter 3, General Emissions Standards, Section 9, Incorporation by reference; Chapter 4, State Performance Standards for Specific Existing Sources, Section 6, Incorporation by reference; Chapter 5, National Emission Standards, Section 4, Incorporation by reference; Chapter 6, Permitting Requirements, Section 14, Incorporation by reference; Chapter 8, Nonattainment Area Regulations, Section 10, Incorporation by reference; and Chapter 11, National Acid Rain Program, Section 2, Acid rain program. Chapter 2, Ambient Standards, Section 6, Ambient standards for ozone, will be updated to include the latest ozone National Ambient Air Quality Standards. Additional updates to Chapter 3, General Emission Standards, Section 3, Emission standards for nitrogen oxides, involve a minor revision correcting an inconsistency regarding internal combustion engines. Additional updates to Chapter 5, National Emission Standards, Section 2, New source performance standards, involve incorporating 40 CFR part 60, subparts OOOO, OOOOa and TTTT into the WAQSR by reference from the CFR. Additional updates to Chapter 6, Permitting Requirements, Section 3, Operating permits and Chapter 7, Monitoring Regulations, Section 3, Compliance assurance monitoring, involve proposed revisions reflecting the Supreme Court's decision in *UARG v. EPA*, 134 S. Ct. 2427 (2014). Chapter 6, Section 3, and Section 4, Prevention of Significant Deterioration, and Chapter 7, Section 3, will be updated to remove an outdated Federal Register reference in the definition of "typical CO<sub>2</sub> equivalent emissions (CO<sub>2</sub>e)." Chapter 6, Section 7, Clean air resource allocation expiration, was updated to replace a direct reference to Chapter III of the Rule of Practice and Procedure of the Department with a general reference. The Division contact information will be updated in Chapters 3, 4, 5, and 11. Chapter 2, Sections 2 and 12, Chapter 3, Section 9, Chapter 6, Sections 4 and 14, and Chapter 8, Section 10 involve revisions to the State Implementation Plan (SIP). The Division will submit these SIP revisions to the Environmental Protection Agency.

The EQC will consider the proposed rules, written and electronically filed comments, and the Division's Analysis of Comments, along with any modification proposed by the Division to the draft rules. At the public hearing, oral statements that focus on the previously received comments, the Division'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. If the comment period is extended, the extensions will be posted on the Air Quality website, as well the EQC's website. The EQC, however, may close the record and make a final decision regarding the rules prior to concluding the hearing.

Comments on the proposed revisions may be submitted beginning October 3, 2016 and ending at 5:00 p.m. (MST) on November 16, 2016. Written comments will be accepted no later than 5:00 P.M. (MST) on November 15, 2016. Written comments should be submitted to: Administrator, Air Quality Division, 200 West 17<sup>th</sup> Street, Cheyenne, Wyoming, 82002, or faxed to 307-635-1784. Copies of the public notice, Notice of Intent to Adopt Rules, and the proposed rules are available at the same address. If you have questions regarding the proposed rules, contact Amber Potts, Division, at 307-777-2489. Electronic comments may only be submitted by filling out the public comment form provided at: <http://aq.wyomingdeq.commentinput.com/>. The Division 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 # 16-2102.

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 you contact the EQC and receive 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.*