

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Todd Parfitt, Director

Matthew H. Mead, Governor

Memorandum

To: Meghan Lally, Chair, Environmental Quality Council

From: Todd Parfitt, Director, Department of Environmental Quality 

Date: October 13, 2017

Subject: Proposed Rulemaking Package (R-29)

The Air Quality Division (Division) of the Department of Environmental Quality is proposing revisions to Chapter 2, Ambient Standards, Chapter 3, General Emission Standards, Chapter 4, State Performance for Specific Existing Sources, Chapter 5, National Emission Standards, Chapter 6, Permitting Requirements, Chapter 8, Nonattainment Area Regulations, Chapter 11, National Acid Rain Program, of the Wyoming Air Quality Standards and Regulations (WAQSR). The Division is requesting the Environmental Quality Council (EQC) to review the proposal and to consider adoption of these rules when it meets in Cheyenne, Wyoming on December 5, 2017.

In this proposed rulemaking, the following WAQSR chapters and sections are being updated to adopt by reference from the Code of Federal Regulations (CFR) up through July 1, 2017: Chapter 2, Section 12; Chapter 3, Section 9; Section 4, Section 6; Chapter 5, Section 4; Chapter 6, Section 14; Chapter 8, Section 10; and Chapter 11, Section 2. Chapter 8, Nonattainment Area Regulations, Section 3, Conformity of general federal actions to state implementation plans, will be updated to correct a reference to particulate matter in order to maintain consistency with federally approved language in 40 CFR 93.158(a)(4); the section is already State Implementation Plan (SIP)-approved and this revision merely ensures consistency with the federal regulation

Chapter 2, Section 12; Chapter 3, Section 9; Chapter 6, Section 14; Chapter 8, Sections 3 and 10, involve revisions to the SIP. The Division will submit these changes to the EPA once they are state effective.

The Division issued a notice for public comment on this set of revisions prior to the September 26, 2017 Air Quality Advisory Board (AQAB) meeting, with the public comment period running from August 23, 2017 to September 26, 2017. At the September 26, 2017 meetings, the AQAB recommended that the rules proceed to a formal rulemaking before the EQC.

We have prepared rule packages for the Council, including the public notice and the transcript from the September 26, 2017 AQAB meeting, which summarize the nature of the changes.

This rule package contains the following attachments:

- 1) Public Notice for the September 26, 2017 AQAB Meeting (2 copies)
- 2) Statement of Principal Reasons (2 copies)
- 3) September 26, 2017 AQAB Meeting Minutes (2 copies)
- 4) Chapter 2, Ambient Standards, Strike and Underline Version (draft August 17, 2017) (2 copies)
- 5) Chapter 2, Ambient Standards, Clean Format (2 copies)

- 6) Chapter 3, General Emission Standards, Strike and Underline Version (draft August 17, 2017) (2 copies)
- 7) Chapter 3, General Emission Standards, Clean Format (2 copies)
- 8) Chapter 4, State Performance Standards for Specific Existing Sources, Strike and Underline Version, (draft August 17, 2017) (2 copies)
- 9) Chapter 4, State Performance Standards for Specific Existing Sources, Clean Format (2 copies)
- 10) Chapter 5, National Emission Standards, Strike and Underline Version, (draft August 17, 2017) (2 copies)
- 11) Chapter 5, National Emission Standards, Clean Format (2 copies)
- 12) Chapter 6, Permitting Requirements, Strike and Underline Version, (draft August 17, 2017) (2 copies)
- 13) Chapter 6, Permitting Requirements, Clean Format, (2 copies)
- 14) Chapter 8, Nonattainment Area Regulations, Strike and Underline Version, (draft August 17, 2017) (2 copies)
- 15) Chapter 8, Nonattainment Area Regulations, Clean Format, (2 copies)
- 16) Chapter 11, National Acid Rain Program, Strike and Underline Version, (draft August 17, 2017) (2 copies)
- 17) Chapter 11, National Acid Rain Program, Clean Format, (2 copies)