

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

IN THE MATTER OF REVISIONS TO SECTION )  
TWELVE OF CHAPTER TWO, REVISIONS TO )  
SECTION NINE OF CHAPTER THREE, REVISIONS ) STATEMENT OF  
TO SECTION SIX OF CHAPTER FOUR, REVISIONS ) PRINCIPAL REASONS  
TO SECTION FOUR OF CHAPTER FIVE, REVISIONS ) FOR ADOPTION  
TO SECTION FOURTEEN OF CHAPTER SIX, )  
REVISIONS TO SECTIONS THREE AND TEN OF )  
CHAPTER EIGHT AND REVISIONS TO SECTION )  
TWO OF CHAPTER ELEVEN OF THE WYOMING )  
AIR QUALITY STANDARDS AND REGULATIONS )


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 Air Quality Standards and Regulations: Chapter 2, Ambient Standard, Section 12, Incorporation by reference; Chapter 3, General Emission 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 3, Conformity of general federal actions to state implementation plans, and Section 10, Incorporation by reference; and Chapter 11, National Acid Rain Program, Section 2, Acid rain program.
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 and regulations that may be necessary to prevent, abate, or control pollution.  
Section 35-11-202 (b) of the Act states that in recommending such standards 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 2, Ambient Standards, Section 12, Incorporation by reference, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017. The revisions to Section 12, Incorporation by reference, involve changes to the State Implementation Plan (SIP).
4. Chapter 3, General Emission Standards, Section 9, Incorporation by reference, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017. The revisions to Section 9, involve changes to the State Implementation Plan (SIP).

5. Chapter 4, State Performance Standards for Specific Existing Sources, Section 6, Incorporation by reference, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017.
6. Chapter 5, National Emission Standards, Section 4, Incorporation by reference, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017.
7. Chapter 6, Permitting Requirements, Section 14, Incorporation by reference, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017. The revisions to Section 14, Incorporation by reference, involve changes to the State Implementation Plan (SIP).
8. Chapter 8, Nonattainment Area, Regulations, Section 3, Conformity of general federal actions to state implementation plans, was updated to correct a reference to particulate matter in order to maintain consistency with federally approved language in 40 CFR 93.158(a)(4). Section 10, Incorporation by reference, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017. Section 3, Conformity of general federal actions to state implementation plans, and Section 10, Incorporation by reference involve changes to the State Implementation Plan (SIP).
9. Chapter 11, National Acid Rain Program, Section 2, Acid Rain Program, has been updated as an annual effort to adopt by reference from the CFR as of July 1, 2017.

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 5 day of DEC, 2017.

MEGHAN LALLY  
Hearing Examiner - Printed Name  
Wyoming Environmental Quality Council

  
Hearing Examiner - Signed Name  
Wyoming Environmental Quality Council