

**Proposed Revisions to Water Quality Rules and Regulations  
Chapter 3, 8, 9, 11, 20, 25, and 26**

**Response to Comments Received at March 24, 2017 WWAB Meeting**



October 30, 2017

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**Commenters:**

Marge Bedessem, Chairman, Water and Waste Advisory Board  
Lorie Cahn, Water and Waste Advisory Board  
Brian Deurloo, Water and Waste Advisory Board  
Klaus Hanson, Water and Waste Advisory Board  
Alan Kirkbride, Water and Waste Advisory Board  
Robert Lucht

**Comments and Responses**

**CHAPTER 3**

**Comment:** The Water and Waste Advisory Board (WWAB) recommended global correction of extra spaces throughout the chapter and consistent capitalization of “Administrator,” “Division,” “Director,” “Department,” and “Groundwater(s) of the State.”

**Department Response:** WDEQ/WQD has made the corrections as requested.

*Section 2(d)(ii)*

**Comment:** The WWAB recommended changing “out-fall” to “outfall.”

**Department Response:** WDEQ/WQD has made the correction as requested.

*Section 7(c)(iii) and Section 8(b)(ii)*

**Comment:** The WWAB discussed the style rules for spelling numbers and the combination of spelled out and Arabic numbers that are prevalent in the proposed revisions. The WWAB requested that WDEQ/WQD remove the spelled version of numbers larger than ten, requested removal of the numbers in parentheses, and also requested that the WDEQ/WQD verify correct use of hyphens that modify a noun.

**Department Response:** WDEQ/WQD reviewed the style guides that the staff use internally: the *Chicago Manual of Style* (16<sup>th</sup> edition) and the *Bluebook, A Uniform System of Citation* (19<sup>th</sup> edition). We also consulted our Attorney General for guidance.

The combination of spelled numbers and Arabic numbers in parentheses is a style or practice that predates either of the style guides noted above. It is a legal style that is used to draw attention to an important point or responsibility in a given passage. The Wyoming Statutes use this style and our attorney recommended that we not globally remove the numbers in parentheses, therefore we will continue to use the legal style as described above. However, we have outlined some internal practices that we will follow when using this style format:

- WDEQ/WQD will use the combination of spelled numbers and Arabic numbers in parentheses for numbers less than 100.
- WDEQ/WQD will use the combination of spelled numbers and Arabic numbers in parentheses for numbers that contain fractions.
- WDEQ/WQD will not use the combination of spelled numbers and Arabic numbers in parentheses for numbers that contain decimals.
- WDEQ/WQD will not use the combination of spelled numbers and Arabic numbers in parentheses for numbers that modify a noun, such as “30-day” or “25-year.”

WDEQ/WQD reviewed the passage at Section 7(c)(ii) and proposes to change it from the currently proposed “thirty (30) day” to “30-day” for consistency with the internal practices outlined above.

*Section 10(f)(iii)*

**Comment:** The WWAB requested that WDEQ/WQD be consistent with the usage of semi colons with “and” and “or.”

**Department Response:** WDEQ/WQD reviewed the request in context with the chapter. Depending on the requirement, WDEQ/WQD uses both “and” and “or.” In situations that require compliance with the entire list, we will use “and.” In situations that require a regulated entity to only comply with one item, but where there is a choice for the entity, then “or” is used. The passage at Section 10(f)(iii) will remain as written because the requirement is that the applicant must submit a plan that contains all the provisions at (f)(i), (f)(ii), (f)(iii), and (f)(iv)—there is no choice of one item or another.

*Section 17(a)*

**Comment:** The WWAB noted that the requirement at Section 17(a) is worded ambiguously.

**Department Response:** WDEQ/WQD reviewed the request in context of the scope of the proposed revisions. The scope for the current proposal is to correct cross-references, grammar errors, and formatting inconsistencies. Because the scope is limited to these types of changes, the passage will remain as written.

## **CHAPTER 8**

**Comment:** The WWAB recommended global correction of extra spaces throughout the chapter and consistent capitalization of “Administrator,” “Division,” “Director,” “Department,” and “Groundwater(s) of the State.”

**Department Response:** WDEQ/WQD has made the corrections as requested.

**Comment:** The WWAB recommended abbreviating standard units throughout the chapter.

**Department Response:** WDEQ/WQD reviewed the request. Fulfilling the request would involve changing a substantial number of passages in this chapter and in the proposed rule package as a whole and would not necessarily result in a clearer, more understandable set of rules. WDEQ/WQD will leave the standard units in the current format.

### *Section 5 Table I Explanation*

**Comment:** The WWAB recommended changing the superscript of sulfide ( $S^2$ ) to subscript  $S_2$ .

**Department Response:** WDEQ/WQD reviewed the passage with our technical staff and have rewritten the passage to state “the dissociated hydrosulfide (HS<sup>-</sup>) or sulfide (S<sup>-2</sup>) ions...”

### *Section 6(a)(v)*

**Comment:** The WWAB recommended undoing the proposed change to “areally.”

**Department Response:** WDEQ/WQD made the correction as requested.

## **CHAPTER 9**

**Comment:** The WWAB recommended global correction of extra spaces throughout the chapter and consistent capitalization of “Groundwater(s) of the State” and correcting the usage of “assure” to “ensure.”

**Department Response:** WDEQ/WQD made the corrections as requested.

### *Section 14(a)*

**Comment:** The WWAB recommended updating the passage to gender neutral language.

**Department Response:** WDEQ/WQD reviewed the request in context of the scope of the proposed revisions. The scope for the current proposal is to correct cross-references, grammar errors, and formatting inconsistencies. Rewriting this passage would exceed the scope of the proposed rulemaking due to the complexity of the passage. The passage will remain as written.

## **CHAPTER 11**

**Comment:** The WWAB recommended global correction of extra spaces throughout the chapter; consistent capitalization of “Administrator,” “Division,” “Director,” “Department,” and “Groundwater(s) of the State;” correcting the usage of “assure” to “ensure;” correct usage of hyphens with numbers that modify a noun; and correction of strike/underline formatting inconsistencies.

**Department Response:** WDEQ/WQD has made the corrections as requested.

**Comment:** The WWAB recommended consistently including metric equivalents and verifying the accuracy of the metric conversions listed throughout the chapter.

**Department Response:** WDEQ/WQD reviewed the request and has corrected the metric equivalents in passages where the metric value was incorrect. However, WDEQ/WQD has decided to leave the remaining correct metric values in place and has decided to not include metric equivalents in passages that do not already include the metric equivalent. WDEQ/WQD plans to substantially revise Chapter 11 within the next three years and will address the consistency issue at that time.

**Comment:** The WWAB recommended abbreviating standard units throughout the chapter.

**Department Response:** WDEQ/WQD reviewed the request. As stated earlier, fulfilling the request would involve changing a substantial number of passages in this chapter and would not necessarily result in a clearer, more understandable rule. WDEQ/WQD will leave the standard units in the current format.

**Comment:** The WWAB requested that WDEQ/WQD remove the spelled version of numbers larger than ten, requested removal of the numbers in parentheses, and also requested that the WDEQ/WQD verify correct use of hyphens with numbers that modify nouns.

**Department Response:** WDEQ/WQD reviewed the request and will format numbers consistently with the style practices outlined previously in this document.

*Section 9(c)(ii)(E)*

**Comment:** The WWAB recommended changing “feet” back to “foot.”

**Department Response:** WDEQ/WQD edited the passage as requested.

*Section 9(c)(i)(B)*

**Comment:** The WWAB recommended changing “deter mine” to “determine.”

**Department Response:** WDEQ/WQD edited the passage as requested.

*Section 9(c)(i)(B)*

**Comment:** The WWAB recommended changing the spelled numbers to Arabic and adding hyphens as the number modifies a noun.

**Department Response:** WDEQ/WQD edited the passage to be consistent with the number format guidelines we stated earlier in this document.

*Section 9(c)(i)(F)(I)*

**Comment:** Commenter Robert Lucht recommended correcting the strike underline to “twenty-four (24)”.

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 9(c)(ii)(B)*

**Comment:** The WWAB recommended correcting the passage from “one (2) inch minimum” to “one (1) inch.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 9(c)(iii)(B)*

**Comment:** The WWAB recommended restating the passage as it is worded in a confusing manner.

**Department Response:** WDEQ/WQD reviewed the request in context of the scope of the proposed revisions. The scope for the current proposal is to correct cross-references, grammar errors, and formatting inconsistencies. Because the scope is limited to these types of changes, the passage will remain as written.

*Section 10(g)(iii)*

**Comment:** The WWAB recommended correcting the passage back to “foot-candles.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 10(f)(iii)*

**Comment:** The WWAB recommended correcting the passage back to “which” and adding a comma after wells.

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 11(a)*

**Comment:** The WWAB recommended correcting “Permit” to “permit.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

**Comment:** The WWAB recommended rewording the passage to avoid spelling out the number at the beginning of the sentence.

**Department Response:** WDEQ/WQD reviewed the request in context of the scope of the proposed revisions. Since the scope for the current proposal is to correct cross-references, grammar errors, and formatting inconsistencies, the passage will remain as written. However, WDEQ/WQD is withdrawing our proposal to strike the spelled out number that begins the sentence so that the passage is formatted consistently with the style guides mentioned previously in this document.

*Section 14(k)(i) and (k)(ii)*

**Comment:** The WWAB recommended adding “diameter” to clarify that the required measurement refers to the piping diameter.

**Department Response:** WDEQ/WQD edited the passages as requested.

*Section 15(b)(v)*

**Comment:** The WWAB recommended changing the wording to “rock trickling filter depths.”

**Department Response:** WDEQ/WQD edited the passage as requested.

*Section 19(d)(v)*

**Comment:** The WWAB recommended correcting “2” to “5.”

**Department Response:** WDEQ/WQD corrected the passage as requested.



*Section 21(a)(v)*

**Comment:** The WWAB recommended adding hyphens and changing the passage to “an approved reduced-pressure-zone backflow preventer.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 23(b)*

**Comment:** The WWAB recommended changing “contract” to “contracting.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 29(d)(ii)*

**Comment:** The WWAB recommended rewording the passage for clarity.

**Department Response:** WDEQ/WQD reviewed the request in context of the scope of the proposed revisions. The scope for the current proposal is to correct cross-references, grammar errors, and formatting inconsistencies. Because the scope is limited to these types of changes, the passage will remain as written.

*Section 30*

**Comment:** The WWAB recommended correcting “radio logical” to “radiological.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 50(a)*

**Comment:** The WWAB recommended correcting “control ling” to “controlling” and “ad sorption” to “adsorption.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 79*

**Comment:** The WWAB recommended restoring “foot” and removing “feet” from the section, recommended removing the parentheses and spelling of numbers after stating the Arabic number, and recommended adding hyphens to numbers that modify nouns.

**Department Response:** WDEQ/WQD restored “foot” and added hyphens to numbers that modify nouns. The style of spelling of numbers after stating the Arabic number and putting the Arabic number in parentheses will remain as written, as stated earlier.

## **CHAPTER 20**

**Comment:** The WWAB recommended global correction of extra spaces throughout the chapter; consistent capitalization of “Administrator,” “Division,” “Director,” “Department,” and “Groundwater(s) of the State;” and recommended correction of “assure” to “ensure.”

**Department Response:** WDEQ/WQD has made the corrections as requested.

## **CHAPTER 25**

**Comment:** The WWAB recommended consistent capitalization of “Administrator” and “Groundwater(s) of the State.”

**Department Response:** WDEQ/WQD has made the corrections as requested.

### *Section 10 (e)(i)(A)(III)*

**Comment:** The WWAB recommended correcting “which” to “that.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

## **CHAPTER 26**

**Comment:** The WWAB recommended global correction of extra spaces throughout the chapter; consistent capitalization of “Administrator” and “Groundwater(s) of the State;” and correcting the usage of “assure” to “ensure.”

**Department Response:** WDEQ/WQD has made the corrections as requested.

### *Section 7(a) and Section 10(c)*

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**Comment:** The WWAB recommended inserting parentheses around “i.e.” and “e.g.”

**Department Response:** WDEQ/WQD corrected the passages as requested.

*Section 7(a)*

**Comment:** The WWAB recommended inserting a comma after “plug.”

**Department Response:** WDEQ/WQD corrected the passage as requested.

*Section 8(a)(i)(C)*

**Comment:** The WWAB recommended removing “will.”

**Department Response:** WDEQ/WQD edited the passage as requested.

*Section 11(e)(ii)*

**Comment:** The WWAB recommended removing “the preceding” and recommended adding “in paragraph (i) above.”

**Department Response:** WDEQ/WQD edited the passage as requested.