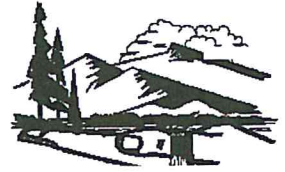


Department of Environmental Quality

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



Matthew H. Mead, Governor



Todd Parfitt, Director

MEMORANDUM

TO: Honorable Matt Mead, Governor

FROM: Todd Parfitt, Director, Wyoming Department of Environmental Quality
 [Agency Contact: Craig Hults, phone 777-7066, email craig.hults@wyo.gov]

SUBJECT: Proposed Revisions to Coal Chapters 11 (Self-bonding) and 20 (Letters of Credit) and Noncoal Chapters 6 (Self-bonding) and 12 (Letters of Credit) – Land Quality Division, Department of Environmental Quality

DATE: December 8, 2018

PRIORITY: HIGH – Deadline for response is December 20, 2018

SUMMARY: Notice of Agency Rulemaking

The Department of Environmental Quality, Land Quality Division (LQD) is proposing to amend the financial assurance regulations contained in Coal Chapters 11 (Self-bonding) and 20 (Letters of Credit) and Noncoal Chapters 6 (Self-bonding) and 12 (Letters of Credit). The proposed rules are intended to make the rules more clear and increase their effectiveness as well as reducing the number of chapters related to financial assurances by incorporating the Letters of Credit chapters into a single financial assurance chapter for each program. Specific information on the proposed revisions can be found in the Statement of Reasons for the Coal and Noncoal rules.

The proposed rules were heard by the LQD Advisory Board on March 28, 2018 and again on September 19, 2018. The Advisory Board recommended the rules proceed to the Environmental Quality Council with revisions as discussed during the meetings and based on comments from industry and the public. The proposed rules have been somewhat controversial but based on comments from both industry and the public the LQD has drafted a good compromise. The Attorney General's Office has reviewed the rules for statutory authority and agreed they could proceed. The LQD is requesting to proceed with formal rulemaking with this rule package.

GOVERNORS RESPONSE OPTIONS:

- Agency may proceed.
- Delay Public Comment and Set Up Meeting w/ _____

Rick Bennett 12-12-18
 Signature: Governor's Counsel

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