

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: Meghan Lally, Chairperson, Environmental Quality Council (EQC)

FROM: Todd Parfitt, Director, Wyoming Department of Environmental Quality

THROUGH: Kyle Wendtland, Administrator, Land Quality Division (LQD)

DATE: December 20, 2018

SUBJECT: Hearing Date Request for Coal and Noncoal Financial Assurance Rules

The LQD is requesting a Hearing Date for the above rule package. Rule package materials will be sent under a separate cover memo to follow.

The Department of Environmental Quality, Land Quality Division is proposing to amend Coal Chapter 11 – Financial Assurance and Noncoal Chapter 6 – Financial Assurance. The LQD also proposes to incorporate and amend existing rule language contained in Coal Chapter 20 – Letters of Credit and Noncoal Chapter 12 – Letters of Credit into the revised Coal Chapter 11 and Noncoal Chapter 6 respectively. The proposed rules are intended to provide efficiency in administering the coal and noncoal financial assurance regulations, consolidate the financial assurance regulations into a single chapter, revise criteria for self-bonding and provide greater flexibility by allowing for real property collateral bonds. The authority for the Department to promulgate the proposed rules is provided under Wyoming Statute (W.S.) §§ 35-11-112(a)(i), 35-11-114(b), 35-11-402(a) and 35-11-417 through 35-11-423.

Rule language was presented to the LQD Advisory Board on March 28, 2018 and again on September 19, 2018. Revisions were made based on public and Advisory Board comments and further internal deliberation. The Governor's Office and Attorney General's Office have approved proceeding with the proposed rules and therefore the LQD is making a request for a hearing date on February 19, 2019 to present the rules to the Council.

Please contact Craig Hults (777-7066 or craig.hults@wyo.gov) if you have any questions regarding this request or rule package materials to follow. Thank you.

Ec: Financial Assurance Rule Package Binder
Rules Chron