

**Notice of Proposed Rulemaking Before
The Environmental Quality Council
By the Department of Environmental Quality
Air Quality Division (AQD)**

The Environmental Quality Council will hold a public hearing beginning no earlier than 1:00 P.M., October 10, 2006. This hearing is being preceded by an earlier meeting, and the exact starting time is uncertain. The hearing will most likely continue the morning of October 11th, and a starting time will be announced at the close of the hearing on October 10th. The hearing will be held at the Sublette County Public Library, 155 S. Tyler Avenue, Pinedale, Wyoming. The Air Quality Division is proposing to revise Wyoming Air Quality Standards and Regulations (WAQS&R) Chapter 14, Emission Trading Program Regulations, to add a new Section 4, Mercury budget trading program. This rule is being proposed to meet the State Mercury (Hg) Emission Budget established by the Environmental Protection Agency (EPA) under 40 CFR part 60, Subpart HHHH - Emission Guidelines and Compliance Times for Coal-Fired Electric Steam Generating Units. The State is proposing to meet the budget by participating in the national cap-and-trade program for Hg. Section 1, Introduction to emission trading programs, of Chapter 14 is also being revised to reflect the reference to the new Section 4.

Also being proposed are revisions to Chapter 6, Permitting Requirements, to add a new Section 9, Best available retrofit technology (BART). This rule is being proposed to meet some of the requirements established under the Regional Haze Rule, 40 CFR part 51. The Regional Haze Rule requires Wyoming to submit a State Implementation Plan (SIP) to address visibility impairment in the seven Federally-protected parks and wilderness areas in the state as well as impacted surrounding Class I areas. The Federal rule specifically directs states to examine visibility impairment resulting from large, older emission sources, i.e., BART sources. This rule continues to allow Wyoming participation in emission trading programs with other Western states. All changes to Chapter 6, Section 9 will be considered changes to the Wyoming State Implementation Plan.

Proposed Chapter 14, Section 4 and Chapter 6, Section 9 can be obtained from the Department of Environmental Quality, Air Quality Division, 122 West 25th Street, Herschler Building, 2nd Floor, Cheyenne, Wyoming or accessed after August 25, 2006 at the Air Quality Web page at <http://deq.state.wy.us/aqd/index.asp?pageid=8> or by contacting Christine Anderson at 307-673-9337.

Public comments will be accepted throughout the hearing, but the hearing may close when all those present who wish to comment have been heard. A time limit may be imposed on comments. Although oral statements will be accepted at the time of the hearing, for the record, written copies of the statements are required at the time of the hearing or prior thereto. Those persons who plan to submit lengthy, written comments are encouraged to submit the comments in advance of the hearing, regardless of whether the person plans to make an oral statement. Written statements may be presented by submitting them to the following address: David A. Finley, Administrator, Department of Environmental Quality, Air Quality Division, 122 West 25th Street, Herschler Building, 2nd Floor, Cheyenne, Wyoming, 82002. Having comments in advance of the hearing helps the Council prepare for the hearing.

If a quorum is present, the Council may convene a meeting to deliberate and make a decision on these rules at the end of the hearing. The Council also has the option to extend the public comment period on these rules. If the comment period is extended, the extension will be posted on the Air Quality website as well as the website for the Environmental Quality Council <http://deq.state.wy.us/eqc/index.asp>.

In accordance with the Americans with Disabilities Act, special assistance or alternate formats will be made available upon request for individuals with disabilities.