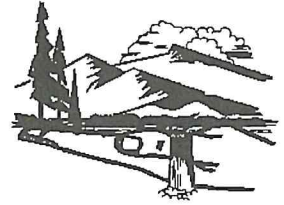




Department of Environmental Quality

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



Mark Gordon, Governor



Todd Parfitt, Director

MEMORANDUM

TO: Honorable Mark Gordon, 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 Chapter 2, Permit Application Requirements for Surface Coal Mining Operations – Land Quality Division, Department of Environmental Quality**

DATE: December 1, 2020

PRIORITY: HIGH – December 15, 2020

SUMMARY: Notice of Agency Rulemaking

The Department of Environmental Quality, Land Quality Division (LQD) is proposing to amend Coal Chapter 2, Permit Application Requirements for Surface Coal Mining Operations, in response to legislative changes made during the 2020 Legislative Session. The proposed rules are intended to provide consistency with the legislative changes made to W.S. § 35-11-103(d)(ii)(G) and (iv), and W.S. § 35-11-402(a). Specific information on the proposed revisions can be found in the Statement of Reasons for Coal Chapter 2.

The proposed rules were presented to the LQD Advisory Board on August 6, 2020 and October 7, 2020. The Advisory Board recommended the rules proceed to the Environmental Quality Council for formal rulemaking. The proposed rules are not expected to be controversial. 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/ _____



 Signature: Governor's Counsel

12/14/20

 Date