

Proposed Revisions to Solid Waste Rules and Regulations, Chapter 1: General Provisions and Chapter 7: Financial Assurance Requirements, Solid Waste Permitting and Corrective Action Program

Response to Comments Received during the March 23, 2021 Water and Waste Advisory Board Meeting



April 8, 2021

Prepared by:
Wyoming Department of Environmental Quality
Solid and Hazardous Waste Division
Solid Waste Permitting and Corrective Action Program

Response to comments on Chapter 1: General Provisions

Commenter: Water and Waste Advisory Board (WWAB)

General

WWAB: The WWAB recommended grammar corrections throughout the chapter.

Department Response: The Solid & Hazardous Waste Division edited the grammar in the chapter as discussed during the March 23, 2021 WWAB meeting.

Section 1. In General.

WWAB Comment: The WWAB recommended the removal of ‘large’ from the definition of “Farming and ranching operation” because the Water Quality Rules define concentrated animal feeding operations.

Department Response: The Solid & Hazardous Waste Division evaluated the WWAB’s recommendation and clarified the Water Quality rule reference but did not make additional edits to this definition. Water Quality Rules, Chapter 2, Appendix G defines animal feeding operation, medium concentrated animal feeding operation, and large concentrated animal feeding operation. Therefore, removal of the word ‘large’ from this definition has a bigger impact than what the WWAB recommended.

WWAB Comment: The WWAB recommended that the Division clarify the use of tons in the definitions and clarify whether it is short tons or long tons.

Department Response: The Solid & Hazardous Waste Division clarified that the use of tons as short tons in Chapter 1.

WWAB Comment: The WWAB commented that the use of “beneficial use” in Section 1 (f) was confusing since the State Engineer Office defines the term beneficial use and that the phrase is used earlier in the definitions for aquifer and groundwater.

Department Response: The Solid & Hazardous Waste Division evaluated the WWAB comment and is not proposing any changes. Chapter 1, Section 1(f) does not define beneficial use. Rather, this paragraph lists the activities and instances that may exempt a person from obtaining a permit or a waste management authorization under the rules. The use of the term “beneficial use” in the list of items identifies the instance

when a person would be potentially exempt from obtaining a permit or waste management authorization if a waste is being beneficially used. The beneficial use of water is not defined or regulated by the Division. In addition, the term, beneficial use, is a standard phrase used in the solid waste industry and within the regulated community.

Section 3. Permit Amendments and Transfers.

WWAB Comment: The WWAB recommended evaluating the phrase “of these rules” after each chapter reference as it is confusing.

Department Response: The Solid & Hazardous Waste Division described that the Solid Waste Rules is a set of rules with individual chapters. This language was added for clarity and will be used in future rule revisions based on advice from the Attorney General’s Office. The Division evaluated the WWAB’s comment further and did not propose any changes.

No additional public comments were submitted during the WWAB Meeting

Response to comments on Chapter 7: Financial Assurance Requirements

Commenter: WWAB

General Comment

WWAB Comment: The WWAB recommended grammar corrections throughout the chapter.

Department Response: The Solid & Hazardous Waste Division edited the chapter as discussed during the March 23, 2021 Water and Waste Advisory Board meeting.

No additional public comments were submitted during the WWAB Meeting