

## Wyoming Environmental Quality Council

Due to a deficiency in the public notice process, the Wyoming Department of Environmental Quality (WDEQ) Solid and Hazardous Waste Division (SHWD) has reopened the public comment period on its proposed revisions to the Hazardous Waste Rules, Chapter 1, IBR, Update 2. The Environmental Quality Council (EQC) will now consider the proposed revisions at a public hearing to be held on February 15, 2022, at Gillette College, Technical Education Center, Flex Space, 3251 S 4-J, Gillette, WY 82718, commencing at 9:00 a.m. (MDT).

The hearing will allow for a correction in the public notice process which occurred before the previous EQC hearing on November 16, 2021. The proposed rulemaking Docket #21-5103 includes revisions to the Hazardous Waste Rules (HWR) Chapter 1, General Provisions utilizing Incorporation by Reference (IBR). The proposed revisions to Chapter 1 include the IBR of five new rules promulgated and finalized by the U.S. Environmental Protection Agency (EPA) since Wyoming's last date of HWR adoption on May 3, 2019. Revisions also include the minor romanette numbering corrections in clean and strike/underline identified during the November 16, 2021 EQC hearing that have been since corrected. The WDEQ/SHWD intends to adopt the new rules to ensure that the HWR are up-to-date with the federal rules as of July 7, 2020. This revision will be the second update of the HWR since the State began to use IBR to ensure that its rules are consistent with EPA's, except where more stringent or broader in scope. The revisions also include EPA recommendations and clarify and restructure sections in Chapter 1. The revised rules meet minimum substantive state statutory requirements in accordance with W.S. § 16-3-103(a)(i)(G). The WDEQ evaluated the revised rules in accordance with W.S. § 9-5-304, and interested persons may inspect a copy of that evaluation and the proposed rule package at the Department of Environmental Quality, Solid and Hazardous Waste Division, 200 W 17th Street, Cheyenne, Wyoming. Electronic copies are available at the EQC website identified below. Questions and requests for copies of the proposed rules may be directed to Carol Stark, Solid and Hazardous Waste Division, at (307) 777-8759 or carol.stark@wyo.gov.

The EQC will consider the proposed rules, written and electronically filed comments, and WDEQ's analysis of comments, along with any modifications proposed by the WDEQ to the draft rules. At the public hearing, statements that focus on previously received comments, the WDEQ's Analysis of Comments, and issues raised by the analysis will be accepted. The EQC will determine if the record will remain open beyond the close of the scheduled hearing. The EQC may, however, close the record and make a final decision regarding the rules at the conclusion of the hearing.

Comments on the proposed rules may be submitted beginning December 15, 2021 and ending at 5:00 p.m. (MDT) on February 3, 2022. Written comments should be sent to the Department of Environmental Quality, 200 W 17th St. Suite 400, Cheyenne, Wyoming, 82002 or faxed to (307) 635-1784. Electronic comments may only be submitted through and accepted by the WDEQ comment portal provided at <https://aq.wyomingdeq.commentinput.com/>. The WDEQ will file an analysis of comments with the EQC prior to the February 15, 2022 public hearing. The proposed rules, comments submitted, and the analysis of comments will be posted on the EQC's website at <https://eqc.wyo.gov/Public/Dockets.aspx> under Docket #21-5103.

Any person wishing to use a digital presentation during their testimony before the EQC must provide a digital copy to the EQC no less than three (3) days prior to the hearing unless they contact the EQC and request an extension for good cause. Failure to submit a timely digital copy may result in the person not being allowed to use the presentation during their testimony.

*In accordance with the Americans with Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities. Para español, visite <https://deq.wyoming.gov/>*