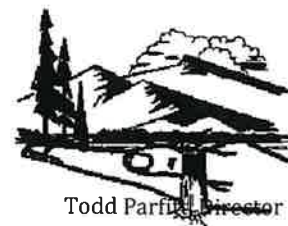




Mark Gordon, Governor

Department of Environmental Quality

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



Todd Parfitt, Director

Memorandum

To: John Corra, Chair, Environmental Quality Council

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

Date: December 14, 2021

Subject: Proposed Rulemaking Package (R-34)

The Air Quality Division (Division) of the Wyoming Department of Environmental Quality is proposing revisions Chapter 6, Permitting Requirements, of the Wyoming Air Quality Standard and Regulations (WAQSR). The Division is requesting the Environmental Quality Council to review the proposal and to consider the adoption of these rules when you meet in Gillette, Wyoming on February 15, 2022.

In this proposed rulemaking, WAQSR Chapter 6, Permitting Requirements, Section 2(o)(iii), Permit requirements for construction, modification, and operation, will be updated to include revisions to portable relocate fee assessments that were established under Wyo. Stat. § 35-11-211(j) after the passage of HB0049 during the 2021 legislative session.

The Division issued a notice for public comment on this set of revisions prior to the September 29, 2021 Air Quality Advisory Board (AQAB) meeting, with the public comment period running from August 29, 2021 to September 29, 2021. There were no comments received on the proposed rules. At the September 29, 2021 meeting, the AQAB recommended that the rules proceed to a formal rulemaking before the Environmental Quality Council.

The enclosed statement of principal reasons and summarized public notice summarize the nature of the revisions. We have enclosed one hard copy of the rule package including:

- Chapter 6, Permitting Requirements, strike and underline copy (draft 12/6/21)
- Chapter 6, clean copy (draft 12/6/21)
- Statement of Principal Reasons
- September 29, 2021 Air Quality Advisory Board Meeting Transcript
- Taking Analysis
- Attorney General's Statutory Authority Review
- Governor Gordon's permission to proceed memo signed 12/7/21
- Notice of Intent to Adopt Rules

cc: Nancy Vehr, Air Quality Division Administrator
 Amber Potts, Air Quality Division
 Mike Morris, Air Quality Division