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DRAFT 04/07/22

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE	**)**	**STATEMENT OF**
PROPOSED CHAPTER 18	**)**	**PRINCIPAL REASONS**
OF THE SOLID WASTE RULES	**)**	**FOR ADOPTION**

The Environmental Quality Council (Council), pursuant to the authority vested in it by Wyoming Statute § 35-11-112(a)(i), has adopted Wyoming Solid Waste Rules Chapter 18, Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments.

The Department of Environmental Quality, Solid and Hazardous Waste Division regulates solid waste facilities using the Solid Waste Rules (SWR). Specifically, SWR Chapter 18 will regulate disposal of coal combustion residuals in landfills and surface impoundments at active electric utilities or independent power producers. These requirements have been finalized under the solid waste provisions, Subtitle D, of the Resource Conservation and Recovery Act, specifically found in the Code of Federal Regulations, Title 40, Part 257, Subpart D. These regulations address location restrictions, design criteria, operating criteria, groundwater monitoring and corrective action, closure and post-closure care, recordkeeping, notification, and posting of information to the internet. Incorporating these standards by reference ensures that the SWR Chapter 18 meets the federal minimum criteria. Currently, in addition to the federal regulations, multiple divisions within the Wyoming Department of Environmental Quality regulate the disposal of coal combustion residuals. This program will consolidate all regulations for the disposal of coal combustion residuals under the Wyoming Department of Environmental Quality, Solid and Hazardous Waste Division.

The Council finds that these regulations are reasonable and necessary to accomplish the policy and purpose of the Act as stated in Wyoming Statute § 35-11-102, and have been promulgated in accordance with the rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this _____ day of _____, 2022.

_____	_____
Hearing Examiner – ***Printed Name***	Hearing Examiner – ***Signed Name***
Wyoming Environmental Quality Council	Wyoming Environmental Quality Council