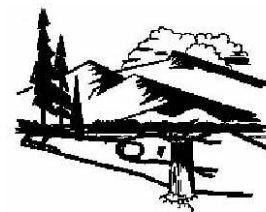




# Department of Environmental Quality

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

**TO:** John Corra, Chairman, Environmental Quality Council

**FROM:** Todd Parfitt, Director, Department of Environmental Quality *Todd E. Parfitt* for

**DATE:** April 14, 2022

**SUBJECT:** Hearing Request for Water Quality Rules Chapter 3

The Department of Environmental Quality (Department), Water Quality Division is proposing revisions to Water Quality Rules Chapter 3, Regulations for Permit to Construct, Install or Modify Public Water Supplies, Wastewater Facilities, Disposal Systems, Biosolids Management Facilities, Treated Wastewater Reuse Systems and Other Facilities Capable of Causing or Contributing to Pollution, and is requesting that the Environmental Quality Council review the proposal and consider adoption of these rules at its June 14, 2022 hearing.

The Water Quality Division presented the proposed revisions to the Water and Waste Advisory Board (WWAB), summarized as follows:

- Water Quality Division presented proposed revisions to the WWAB on June 25, 2019.
  - The June 25, 2019 discussion focused on the addition of an exclusion for coal combustion residual (CCR) surface impoundments that will be permitted by the Solid Waste Program once the new Solid Waste Rules CCR chapter is adopted and signed by the Governor.
  - The WWAB voted unanimously (3-0) to advise the Water Quality Division to proceed with the rule to the Environmental Quality Council at the same time the Solid Waste Program proceeds with their CCR rule.
- Water Quality Division requested a review of Water Quality Rules Chapter 3 by the Attorney General's Office.
  - The Attorney General's Office recommended that Water Quality Division further revise Chapter 3.
  - The additional edits required Water Quality Division to open an additional public comment period and present the additional changes to the WWAB.
- The Water Quality Division presented the proposed updated revisions to the WWAB on March 23, 2021.
  - The March 21, 2021 discussion focused on the recommended edits from the Attorney General's Office.
  - The WWAB recommended additional minor changes to the proposed rule.
  - The WWAB voted unanimously (5-0) to advise Water Quality Division to proceed with rulemaking.
  - The WWAB recommendations are included in the enclosed document, "March 23, 2021 Water and Waste Advisory Board Comments" for your reference.

- On December 21, 2022, the Solid Waste Program received the WWAB advice to proceed with formal rulemaking for their CCR chapter.

The Department sought and was granted approval by the Governor's Office on April 6, 2022 to proceed with the proposed rule.

The enclosed statement of principal reasons and public notice summarize the nature of the revisions.

We have enclosed one hard copy of the rule package, which includes the following:

- Water Quality Rules Chapter 3, clean copy
- Water Quality Rules Chapter 3, strike and underline copy
- Statement of Principal Reasons for Adoption
- Governor Gordon's permission to proceed memo signed April 6, 2022
- Notice of Intent to Adopt Rules
- Takings Checklist and accompanying analysis
- Attorney General's Statutory Authority Review
- June 25, 2019 meeting transcript
- March 15, 2022 meeting transcript
- March 23, 2021 Water and Waste Advisory Board Comments

cc: Jennifer Zygmunt, WQD Administrator  
Gina Thompson, WQD

Enclosures