



# Office of the Attorney General

**Governor**  
Mark Gordon

**Attorney General**  
Bridget Hill

Administration  
109 State Capitol  
Cheyenne, Wyoming 82002  
307-777-7841 Telephone  
307-777-6869 Fax

**Chief Deputy Attorney General**  
Ryan Schelhaas

November 8, 2022

Craig Hults  
DEQ, Land Quality - Coal  
200 W 17<sup>th</sup> Street  
Cheyenne, WY 82002

Dear Mr. Hults:

Please find enclosed your copy of the CERTIFICATION PAGE FOR REGULAR AND EMERGENCY RULES for regular rules for Chapter 10, Coal Exploration; and Chapter 13 Surface Coal Mining Permit Revisions, submitted to this office for filing.

Please feel free to call if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Judy Mitchell".

Judy Mitchell  
Management Supervisor

jlm

Enclosure

Received

NOV 14 2022

WDEQ-LQD  
Cheyenne



# Certification Page Regular and Emergency Rules

Revised June 2020

Emergency Rules (Complete Sections 1-3 and 5-6)

Regular Rules

RECEIVED  
NOV 02 2022  
WY SECRETARY OF STATE

### 1. General Information

a. Agency/Board Name* Department of Environmental Quality - Land Quality Division			
b. Agency/Board Address 200 W. 17th Street, Suite 10		c. City Cheyenne	d. Zip Code 82002
e. Name of Agency Liaison Craig Hults		f. Agency Liaison Telephone Number (307) 777-7066	
g. Agency Liaison Email Address craig.hults@wyo.gov		h. Adoption Date September 13, 2022	
i. Program Land Quality - Coal			
Amended Program Name (if applicable):			

By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

### 2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular (non-emergency) rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these non-emergency or regular rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No.  Yes. If the rules are new, please provide the Legislative Chapter Numbers and Years Enacted (e.g. 2015 Session Laws Chapter 154): 2020 Session Laws Chapter 35

### 3. Rule Type and Information

For purposes of this Section 3, "New" means an emergency or regular rule that has never been previously created.

a. Provide the Chapter Number, Title\* and Proposed Action for Each Chapter. Please use the "Additional Rule Information" form to identify additional rule chapters.

Chapter Number: 10	Chapter Name: Coal Exploration	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed 020.0006.10.11022022
Amended Chapter Name (if applicable):		
Chapter Number: 13	Chapter Name: Surface Coal Mining Permit Revisions	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed 020.0006.13.11022022
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		
Chapter Number:	Chapter Name:	<input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Amended Chapter Name (if applicable):		

2830

**4. Public Notice of Intended Rulemaking**

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.  No.  Yes.  N/A

b. A public hearing was held on the proposed rules.  No.  Yes. Please complete the boxes below.

Date: September 13, 2022	Time: 9:00 a.m. (MST)	City: Casper	Location: Thyra Thomson State Office Building, Turntable Conference Room, 444 W. Collins Drive, Casper, WY 82601
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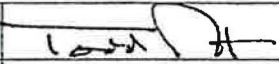
**5. Checklist**

a.  For regular rules, the Statement of Principal Reasons is attached to this Certification and, in compliance with Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule

b.  For emergency rules, the Memorandum to the Governor documenting the emergency, which requires promulgation of these rules without providing notice or an opportunity for a public hearing, is attached to this Certification.

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct. By electronically submitting the emergency or regular rules into the Wyoming Administrative Rules System, the undersigned acknowledges that the Registrar of Rules will review the rules as to form and, if approved, the electronic filing system will electronically notify the Governor's Office, Attorney General's Office, and Legislative Service Office of the approval and electronically provide them with a copy of the complete rule packet on the date approved by the Registrar of Rules. The complete rules packet includes this signed certification page; the Statement of Principal Reasons or, if emergency rules, the Memorandum to the Governor documenting the emergency; and a strike and underscore copy and clean copy of each chapter of rules.

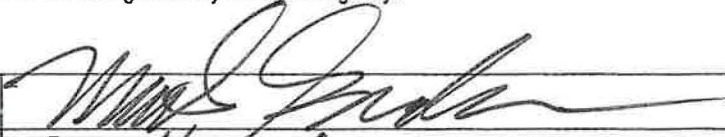
Signature of Authorized Individual	
Printed Name of Signatory	Todd Parfitt
Signatory Title	Director, Department of Environmental Quality
Date of Signature	September 21, 2022

**7. Governor's Certification**

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	2 November 2022