

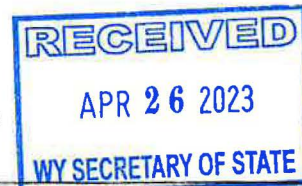


Filed: 8/29/2023 4:17:54 PM WEQC
Certification Page
Regular and Emergency Rules

Revised June 2020

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

Regular Rules



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 February 22, 2023
i. Program Land Quality - Noncoal
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): 2022 Session Laws, Chapter 19

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

Table with columns: Chapter Number, Chapter Name, Amended Chapter Name (if applicable), and checkboxes for New, Amended, Repealed. Includes handwritten entry: 6, Financial Assurance, 020.0007.6.0426 2023.

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WDEQ-LQD Cheyenne
#5196

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: February 22, 2023 | Time: 9:00 a.m. (MST) | City: Cheyenne | Location: Via video conference due to inclement weather. |
|-------------------------|-----------------------|----------------|--|

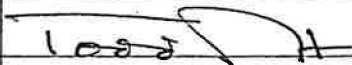
5. Checklist

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 | March 2, 2023 |

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 | 26 April 2023 |