

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF APPEAL OF:)
)
LIMITED MINING OPERATION,) **DOCKET NO. 24-4801**
PEAK GRAVEL, ET0961, TFN 7 6/211)

AFFIDAVIT OF TODD PARFITT

STATE OF WYOMING)
) ss.
COUNTY OF LARAMIE)

BEFORE ME, the undersigned Notary Public, on this day personally appeared Todd Parfitt, who, being by me duly sworn, deposes and says as follows:

1. My name is Todd Parfitt. I am over twenty-one years of age and I am fully competent and duly authorized to make this affidavit. The facts contained in this affidavit are based on my personal knowledge and information related to performance of my official duties.

2. I am the Director of the Wyoming Department of Environmental Quality. As part of my duties as Director I am responsible for overseeing the Department’s regulatory programs for each of the various divisions of the Department.

3. I have been employed by the Department for over thirty years. During that time, I have been involved in all facets of the Department’s different regulatory programs. I have served as the Director for twelve years, Deputy Director for seven years, as Administrator of the Department’s Industrial Siting Division for seven years, and as manager of the Department’s Clean Water Act pollution discharge permitting program for seven years. Additionally, I served four years working in the Department’s Resource Conservation and Recovery Act program related to hazardous and solid waste and underground storage tanks. In all of my positions, I have regularly reviewed the Department’s permitting programs in its various divisions, and I have worked regularly with the Wyoming Legislature on many occasions related to the Department and its permitting programs. I am well-versed in all of the Department’s permitting and regulatory programs.

4. The Department currently issues general permits on several matters related to water quality discharges and solid waste programs.

5. The Wyoming Environmental Quality Act (“WEQA”) does not define the phrase “general permit,” but in the environmental regulatory arena the term is commonly understood to

mean a permit that applies to a category of activities or similar emissions by one or more emitters that can be regulated by the same or similar conditions.

6. Although Article 8 of Title 35, Chapter 11 provides the pathway to using general permits, the current regulatory framework of the Land Quality Division does not contain regulations adopted by the Environmental Quality Council that would allow for the use of general permits. Furthermore, the portions of the WEQA pertaining to land quality and mining regulation in Article 4 of Title 35, Chapter 11 do not contain any provisions for issuance of general permits for mining. Thus, the Land Quality Division does not issue any general permits for mining.

Further Affiant sayeth naught.

DATED this 27th day of September, 2024.

Todd Parfitt, Director
Wyoming Department of Environmental Quality

STATE OF WYOMING)
) ss.
COUNTY OF LARAMIE)

The above and foregoing affidavit was acknowledged, subscribed, and sworn to before me by Todd Parfitt on this 27th day of September, 2024.

Witness my hand and official seal.

Notary Public

My Commission Expires: 7-16-2029

