



Notice of Intent to Adopt Rules

Revised July 2014

1. General Information			
a. Agency/Board Name Department of Environmental Quality			
b. Agency/Board Address 122 W. 25th Street, Herschler Building 2-E		c. City Cheyenne	d. Zip Code 82002
e. Name of Contact Person Jeni Cederle		f. Contact Telephone Number 307-777-7740	
g. Contact Email Address jeni.cederle@wyo.gov			
h. Date of Public Notice August 11, 2014		i. Comment Period Ends September 24, 2014	
j. Program Air Quality			
2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.			
a. If "New," provide the Enrolled Act numbers and years enacted:			
b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed <i>Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.</i>			
Chapter Number: 3	Chapter Name: General Emission Standards	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: 5	Chapter Name: National Emission Standards	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: 6	Chapter Name: Permitting Regulations	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: 7	Chapter Name: Monitoring Regulations	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number: 11	Chapter Name: National Acid Rain Program	<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended <input type="checkbox"/> Repealed
c. <input checked="" type="checkbox"/> The Statement of Reasons is attached to this Notice and, in compliance with <i>Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council</i> , 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.			
	Complete all that apply: <input type="checkbox"/> The following chapters <u>do not</u> differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-102: _____ (Provide chapter numbers)		
	<input type="checkbox"/> These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-102 (see Statement of Reasons). _____ (Provide chapter numbers)		
	<input checked="" type="checkbox"/> N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-102.		
d. <input type="checkbox"/> N/A <input type="checkbox"/> In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).			
e. A copy of the proposed rules* may be obtained:			
<input checked="" type="checkbox"/> By contacting the Agency at the physical and/or email address listed in Section 1 above. <input checked="" type="checkbox"/> At the following URL: http://deq.state.wy.us/raqd/index.asp			
* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.			

3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. Yes No

If "Yes:"	Date: 10/8/14	Time: 10:00 am MST	City: Cheyenne	Location: Herschler Building, room 1699
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b. What is the manner in which interested persons may present their views on the rulemaking action?
 By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:
 To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

4. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. Yes No

If "Yes:"	Applicable Federal Law or Regulation Citation: See Attachment
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Indicate one (1):
 The proposed rules meet, but do not exceed, minimum federal requirements.
 The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:
 To the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____

5. State Statutory Requirements

a. Indicate one (1):
 The proposed rule change *MEETS* minimum substantive statutory requirements.
 The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):
 The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:
 By contacting the Agency at the physical and/or email address listed in Section 1 above.
 At the following URL: _____
 Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual	Jeni Cederle
Title of Authorized Individual	Rule Development Coordinator
Date of Authorization	

Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). Electronic copies (PDFs) of all items noted (in addition to hard copies) may be emailed to LSO at Criss.Carlson@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.

Federal Regulation Citations for Regulation Changes
to Wyoming Air Quality Standards and Regulations

Chapter 3, General Emission Standards, Section 9, Incorporation by reference, adopts by reference portions of 29 CFR parts 1910 and 1926, 40 CFR parts 51, 60 and 61, July 1, 2013;

Chapter 5, National Emission Standards, Section 2, New source performance standards, is amended, in part, to comply with portions of 40 CFR part 60 and appendices to part 60, July 1, 2013;

Chapter 5, National Emission Standards, Section 3, National emission standards for hazardous air pollutants, is amended, in part, to comply with portions of 40 CFR part 63 and appendices to part 63, July 1, 2013;

Chapter 5, National Emission Standards, Section 4, Incorporation by reference, adopts by reference portions of 40 CFR parts 60 and 63 and appendices to parts 60 and 63, July 1, 2013;

Chapter 6, Permitting Requirements, Section 3, Operating permits, is amended, in part, to comply with portions of 40 CFR part 70, July 1, 2013;

Chapter 6, Permitting Requirements, Section 4, Prevention of significant deterioration, is amended, in part, to comply with portions of 40 CFR part 51.166 and appendices to part 51.166, July 1, 2013;

Chapter 6, Permitting Requirements, Section 14, Incorporation by reference, adopts by reference portions of 40 CFR parts 51.166, 70, and 63, subpart B and appendices to parts 51.166, 70, and 63, July 1, 2013;

Chapter 11, National Acid Rain Program, Section 2, Acid rain program, is amended to comply with portions of 40 CFR parts 72-78, July 1, 2013.