

ENCOURAGING RESPONSIBLE DEVELOPMENT TODAY ~ FOR TOMORROW

934 N. MAIN ST. SHERIDAN, WY 82801 (307) 672-5809 FAX (307) 672-5800
INFO@POWDERRIVERBASIN.ORG WWW.POWDERRIVERBASIN.ORG



July 28, 2010

John Corra, Director
Department of Environmental Quality
Herschler Building, 4W
Cheyenne, WY
Sent via electronic mail

RE: Request for ability to submit electronic comments on DEQ draft permits and regulations

Dear Director Corra,

As you know, Powder River Basin Resource Council is a frequent commenter on draft permits, draft regulations, and other DEQ actions. At various times, we have been told by DEQ staff that current DEQ policy allows members of the public to submit comments by postal mail and facsimile, but not by electronic mail or other electronic means. Additionally, because of signature requirements, if a citizen submits a comment by facsimile, he or she must also submit the signed original by postal mail. This becomes a burdensome process.

Since many comment periods are short – often just thirty days – and the draft permits, rule proposals, and other proposed actions are complex and require significant time on the part of citizens to read through the materials, many citizen comments are submitted at the end of the comment period. Allowing submission by electronic means would provide the opportunity for citizens to file comments up through the last day of the comment period with the assurance that their comments will reach the intended destination in time. Environmental agencies in many other states and other state and federal agencies within Wyoming, including the Environmental Quality Council, allow for the submission of electronic comments for these very reasons.

We would appreciate your consideration of changing DEQ policy to allow for the submission of electronic comments. We also encourage DEQ to notify commenters of DEQ decisions, including release of final permits, through electronic mail. This will speed up the time by which commenters receive the decision, and allow members of the public to have a more complete review time before any deadlines for appeal, thereby promoting the due process rights of citizens.

In reviewing DEQ regulations and the Environmental Quality Act, there does not appear to be a regulatory or statutory impediment to these actions. However, if you still feel uncomfortable in changing the policy, please respond to this letter with your reasoning.

Thank you for your time and consideration of this request. We would appreciate your response in writing as soon as you have had an opportunity to consult with the Administrators of the various DEQ divisions.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Anderson", with a long horizontal line extending to the right.

Shannon Anderson
Organizer, Powder River Basin Resource Council

cc: Administrators