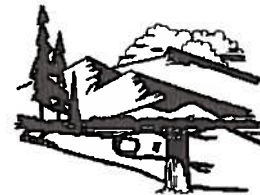




Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's
environment for the benefit of current and future generations.*



Matthew H. Mead, Governor

Todd Parfitt, Director

To: Honorable Matthew H. Mead, Governor
From: Todd Parfitt, Director, Department of Environmental Quality *TP 6/5/15*
Subject: Proposed Rules for Chapters 2 and 6 (R-25)
 Department of Environmental Quality, Air Quality Division
Date: June 10, 2015
Priority: **HIGH** – Deadline for response is **June 23, 2015**
Summary: Notice of Agency Rulemaking

The Air Quality Division (Division) is proposing revisions to the Wyoming Air Quality Standards and Regulations (WAQSR) listed above. The following is a brief summary of the proposed rule changes:

- Annual updates to Incorporation by Reference (IBR) sections to be adopted by reference from the 2014 Code of Federal Regulations (CFR). If the State does not adopt the most recent versions of these sections by reference, the rule still applies at the federal level. Adopting these national standards into the State rules allows for State implementation of the rules.
- Updates to Chapter 2, Section 2, Ambient standards for particulate matter, to include the 2012 PM_{2.5} National Ambient Air Quality Standards (NAAQS).
- Updates to Chapter 6, Section 13, Nonattainment new source review permit requirements, to include specific nonattainment new source review permitting requirements for new and modified major stationary sources in a nonattainment area.
 - Section 13 revisions address Clean Air Act (CAA) requirements for areas designated as nonattainment for a NAAQS.
 - The requirements are designed to help attain and maintain compliance with the national standards.
 - These updates are derived largely from federal regulatory language – federal requirements in 40 CFR 51.165 – but they include language that accounts for Wyoming's specific regulatory needs and maintains consistency with existing state permitting programs (specifically WAQSR Chapter 6, Section 2, Permit requirements for construction, modification, and operation, and Chapter 6, Section 4, Prevention of significant deterioration).

The proposed revisions can be seen in the attached draft rules. Specific information on the changes can be found in the Statement of Principal Reasons (SOPR). Chapter 2, Sections 2 and 12, and Chapter 6, Sections 13 and 14, involve changes to the State Implementation Plan (SIP).

The Wyoming Air Quality Advisory Board met in Cheyenne, Wyoming on April 28, 2015, and recommended that these rules proceed to formal rulemaking before Environmental Quality Council (EQC).



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Governor's Response Options (to be completed by Governor's Office):

- Agency may proceed.
 Delay public comment and set up meeting with

Jeni Cederle 6-12-15
Signature: Governor's Counsel

If no response has been received by the 10th working day, the agency will proceed with these rules.