

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

IN THE MATTER OF REVISIONS TO SECTIONS )  
TWO AND TWELVE OF CHAPTER TWO; AND )  
REVISIONS TO SECTIONS ONE, THIRTEEN, ) STATEMENT OF  
AND FOURTEEN OF CHAPTER SIX OF THE ) PRINCIPAL REASONS  
WYOMING AIR QUALITY STANDARDS AND ) FOR ADOPTION  
REGULATIONS )

1. The Environmental Quality Council, pursuant to the authority vested in it by the Wyoming Statutes 35-11-112 (a)(i), has revised, removed, or added the following chapters and sections to the Wyoming Air Quality Standards and Regulations: Chapter 2, Ambient Standards, Section 2, Ambient standards for particulate matter, and Section 12, Incorporation by reference; Chapter 6, Permitting Requirements, Section 1, Introduction to permitting requirements, Section 13, Nonattainment new source review permit requirements, and Section 14, Incorporation by reference.
2. Section 35-11-202 (a) of the Environmental Quality Act states that the Administrator, after consultation with the Advisory Board, shall recommend to the Director such ambient air standards or emission control requirements that may be necessary to prevent, abate, or control pollution.

Section 35-11-202 (b) of the Act states that in recommending such standards or requirements the Administrator shall consider all facts and circumstances bearing upon the reasonableness of the emissions involved including:

- (A) The character and degree of injury to, or interference with the health and physical well being of the people, animals, wildlife and plant life;
- (B) The social and economic value of the source of pollution;
- (C) The priority of location in the area involved;
- (D) The technical practicability and economic reasonableness of reducing or eliminating the pollution; and
- (E) The social welfare and aesthetic value.

3. Chapter 2, Ambient Standards, Section 2, Ambient standards for particulate matter, was revised to include the updated PM<sub>2.5</sub> National Ambient Air Quality Standards (NAAQS) as of July 1, 2014. Section 12, Incorporation by reference, was updated to adopt by reference from the Code of Federal Regulations (CFR) for July 1, 2014. Section 12 was also revised to include the location on the internet, as defined in W.S. 9-2-1035(a)(iii), of the incorporated matter. The revisions to Section 2, Ambient standards for particulate matter, and Section 12, Incorporation by reference, involve changes to the State Implementation Plan (SIP).
4. Chapter 6, Permitting Requirements, Section 1, Introduction to permitting requirements, was updated to reflect a revised Section 13 title clarifying that the regulation will be adopted as a State rule and not adopted by reference from 40 CFR 51.165. Section 13, Nonattainment new source review permit requirements, establishes specific nonattainment new source review permitting requirements for new and modified major stationary sources in a nonattainment area. Section 14, Incorporation by reference, was updated to adopt by reference from the CFR as of July 1, 2014. The revisions to Section 13, Nonattainment new source review permit requirements, and Section 14, Incorporation by reference, involve changes to the State Implementation Plan (SIP).

The Council finds that these regulations are reasonable and necessary to accomplish the policy and purpose of the Act, as stated in W.S. 35-11-102, and that they have been promulgated in accordance with rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this 9 day of September, 2015.

AARON CLARKE  
Hearing Examiner - *Printed Name*  
Wyoming Environmental Quality Council

  
Hearing Examiner - *Signed Name*  
Wyoming Environmental Quality Council