

**TAKINGS CHECKLIST**

Air Quality Division Rulemaking: Chapter 2, Section 12; Chapter 3, Section 9; Chapter 4, Section 6; Chapter 5, Section 4; Chapter 6, Section 14; Chapter 8, Sections 3 and 10; Chapter 11 Section 2 (R-29)

Date Checklist Completed: September 12, 2017

	<b>CRITERIA</b>	<b>YES</b>	<b>NO</b>
1.	Does the action affect private property? (If no, no further inquiry is necessary.)	X	
2.	Is the action mandated by State or federal law? (If yes, go to question 3. If no, go to question 4.)	X	
3.	Does the proposed action advance a statutory purpose?	X	
4.	Does the proposed action result in permanent occupation of private property?		X
5.	Does the action require the property owner to dedicate property or grant an easement?		X
6.	Does the regulatory action interfere with the owner's investment-backed expectations?		X
7.	Does the character of the government action balance the public interest and private burdens?	X	
8.	Does the action deprive the owner of all economically viable uses of the property?		X
9.	Does the action have a significant impact on the landowner's economic interest?		X
10.	Does the action deny the owner of a fundamental attribute of ownership?		X
11.	Does the action serve the same purpose that would be served by directly prohibiting use of the land?		X
12.	Could the problem which has necessitated the action be addressed in a less restrictive manner?		X

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

Chapter 2, Ambient Standards, Section 12, Incorporation by reference, adopts by reference portions of 40 CFR parts 50, 53, and 58, and appendices to 40 CFR part 50, July 1, 2017.

Chapter 3, General Emission Standards, Section 9, Incorporation by reference, adopts by reference portions of 29 CFR part 1910 and 40 CFR parts 51 and 61, and appendices to 29 CFR part 1910 and 40 CFR parts 60 and 61, July 1, 2017.

Chapter 4, State Performance Standards for Specific Existing Sources, Section 6, Incorporation by reference, adopts by reference portions of 40 CFR part 60 and its appendices, July 1, 2017.

Chapter 5, Nation Emission Standards, Section 4, Incorporation by reference, adopts by reference portions of 40 CFR parts 60, 61, 63, and 70, and appendices to 40 CFR parts 60 and 63, July 1, 2017.

Chapter 6, Permitting Requirements, Section 14, Incorporation by reference, adopts by reference portions of 40 CFR parts 51, 52, 60, 61, 63, 70, 75 and 98, and appendices to 40 CFR parts 51, 58 and 60, July 1, 2017.

Chapter 8, Nonattainment Area Regulations, Section 3, Conformity of general federal actions to state implementation plans, adopts by reference 40 CFR parts 50, 81, and 93, July 1, 2017.

Chapter 8, Nonattainment Area Regulations, Section 10, Incorporation by reference, adopts by reference portions of 23 CFR parts 450, 712 and 771, 40 CFR parts 50, 51, 60, 80, 81 and 93, 49 CFR part 613, and appendices to 40 CFR parts 51 and 60, July 1, 2017.

Chapter 11, National Acid Rain Program, Section 2, Acid rain program, adopts by reference portions of 40 CFR parts 72, 73, 74, 75, 76, 77 and 78, July 1, 2017.