

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF REVISIONS TO)
WATER QUALITY RULES AND)
REGULATIONS: CHAPTER 3, REGULATIONS) STATEMENT
FOR PERMIT TO CONSTRUCT, INSTALL OR) OF PRINCIPAL REASONS
MODIFY PUBLIC WATER SUPPLIES,) FOR ADOPTION
WASTEWATER FACILITIES, DISPOSAL)
SYSTEMS, BIOSOLIDS MANAGEMENT)
FACILITIES, TREATED WASTEWATER)
REUSE SYSTEMS AND OTHER FACILITIES)
CAPABLE OF CAUSING OR CONTRIBUTING)
TO POLLUTION; CHAPTER 8, QUALITY)
STANDARDS FOR WYOMING)
GROUNDWATERS; CHAPTER 9, WYOMING)
GROUNDWATER POLLUTION CONTROL)
PERMIT; CHAPTER 11, DESIGN AND)
CONSTRUCTION STANDARDS FOR SEWERAGE)
SYSTEMS, TREATMENT WORKS, DISPOSAL)
SYSTEMS OR OTHER FACILITIES CAPABLE)
OF CAUSING OR CONTRIBUTING TO)
POLLUTION AND MOBILE HOME PARK)
AND CAMPGROUND SEWERAGE AND)
PUBLIC WATER SUPPLY DISTRIBUTION)
SYSTEMS; CHAPTER 20, PERMITTING,)
DESIGN AND OPERATION STANDARDS,)
CONFINED SWINE FEEDING OPERATIONS;)
CHAPTER 25, SEPTIC TANKS, SOIL)
ABSORPTION SYSTEMS, AND OTHER SMALL)
WASTEWATER SYSTEMS; AND CHAPTER 26,)
WELL CONSTRUCTION STANDARDS.)

INTRODUCTION

The Environmental Quality Council, pursuant to the authority vested in it by the Wyoming Statutes 35-11-112 (a)(i) has adopted revisions to the following chapters and sections of the Wyoming Water Quality Rules and Regulations: Chapter 3, Regulations for Permit to Construct, Install or Modify Public Water Supplies, Wastewater Facilities, Disposal Systems, Biosolids Management Facilities, Treated Wastewater Reuse Systems and Other Facilities Capable of Causing or Contributing to Pollution; Chapter 8, Quality Standards for Wyoming Groundwaters; Chapter 9, Wyoming Groundwater Pollution Control Permit; Chapter 11, Design and

Construction Standards for Sewerage Systems, Treatment Works, Disposal Systems or Other Facilities Capable of Causing or Contributing to Pollution and Mobile Home Park and Campground Sewerage and Public Water Supply Distribution Systems; Chapter 20, Permitting, Design and Operation Standards, Confined Swine Feeding Operations; Chapter 25, Septic Tanks, Soil Absorption Systems, and Other Small Wastewater Systems; and Chapter 26, Well Construction Standards.

Section 35-11-302 (a) of the Environmental Quality Act (the Act) states that the administrator, after receiving public comment and after consultation with the advisory board, shall recommend to the director rules, regulations, standards and permit systems to promote the purposes of this Act. Such rules, regulations, standards and permit systems shall prescribe:

(iii) Standards for the issuance of permits for construction, installation, modification or operation of any public water supply and sewerage system, subdivision water supply, treatment works, disposal system or other facility, capable of causing or contributing to pollution.

(vi) In recommending any standards, rules, regulations, or permits, the administrator and advisory board shall consider all the facts and circumstances bearing upon the reasonableness of the pollution involved including:

(A) The character and degree of injury to or interference with the health and well being of the people, animals, wildlife, aquatic life and plant life affected;

(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 source of pollution; and

(E) The effect upon the environment.

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 3

Section 2. Corrected incorrect uses of “which” to “that.” Corrected cross references from Chapter 13 and Chapter 16 to Chapter 27. Corrected formatting errors.

Section 3. Corrected incorrect uses of “which” to “that.”

Section 4. Corrected incorrect uses of “which” to “that.”

Section 6. Corrected punctuation.

Section 7. Corrected cross references from Chapter 13 and Chapter 16 to Chapter 27. Added cross reference to Chapter 25, Section 6. Corrected incorrect uses of “which” to “that.” Corrected formatting errors.

- Section 8.** Corrected formatting errors.
- Section 9.** Corrected formatting errors.
- Section 10.** Corrected incorrect uses of “which” to “that.” Corrected formatting errors.
- Section 12.** Corrected formatting errors.
- Section 15.** Corrected formatting errors.
- Section 16.** Corrected incorrect uses of “which” to “that.” Corrected formatting errors.
- Section 17.** Corrected incorrect uses of “which” to “that.” Corrected formatting errors.
- Section 18.** Corrected incorrect uses of “which” to “that.”

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 8

- Section 2.** Corrected incorrect uses of “which” to “that.” Corrected capitalization errors. Corrected formatting errors.
- Section 3.** Corrected capitalization error.
- Section 4.** Corrected incorrect uses of “which” to “that.” Corrected capitalization errors. Corrected formatting errors.
- Section 5.** Corrected incorrect uses of “which” to “that.” Corrected capitalization errors. Corrected formatting errors.
- Table I.** Corrected formatting errors.
- Table I Explanation.** Corrected formatting errors.
- Section 6.** Corrected spelling and capitalization errors.
- Section 8.** Corrected formatting errors.

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 9

- Section 2.** Corrected incorrect uses of “which” to “that.” Corrected formatting errors.
- Section 3.** Corrected incorrect uses of “which” to “that.” Corrected cross references from Land Quality Chapter 21 to Land Quality Chapter 18. Corrected formatting errors.
- Section 4.** Corrected capitalization errors. Corrected incorrect uses of “which” to “that.”

Section 5. Corrected cross references from Land Quality Chapter 21 to Land Quality Chapter 18. Corrected incorrect uses of “which” to “that.”

Section 6. Corrected incorrect uses of “which” to “that.” Corrected cross references from Land Quality Chapter 21 to Land Quality Chapter 18. Corrected capitalization errors.

Section 7. Corrected incorrect uses of “which” to “that.” Corrected capitalization errors. Corrected cross references from Land Quality Chapter 21 to Land Quality Chapter 18.

Section 8. Corrected incorrect uses of “which” to “that.”

Section 9. Corrected incorrect uses of “which” to “that.” Corrected capitalization errors.

Section 10. Corrected capitalization errors.

Section 12. Corrected incorrect uses of “which” to “that.”

Section 13. Corrected incorrect uses of “which” to “that.” Corrected capitalization errors.

Section 14. Corrected incorrect uses of “which” to “that.”

Section 17. Corrected incorrect uses of “which” to “that.”

Section 18. Corrected incorrect uses of “which” to “that.”

Section 19. Corrected cross references from Land Quality Chapter 21 to Land Quality Chapter 18.

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 11

Section 2. Corrected Roman numeral to Arabic numeral.

Section 3. Corrected incorrect use of “which” to “that.”

Section 4. Corrected formatting errors. Corrected incorrect uses of “which” to “that.”

Section 5. Corrected incorrect uses of “which” to “that.”

Section 6. Corrected incorrect uses of “which” to “that.” Corrected Roman numeral to Arabic numeral.

Section 7. Corrected formatting errors.

Section 9. Corrected formatting errors.

Section 10. Corrected formatting errors. Corrected incorrect uses of “which” to “that.”

Section 11. Corrected Roman numeral to Arabic numeral. Corrected formatting errors.

Section 12. Corrected incorrect uses of “which” to “that.” Corrected formatting errors. Corrected spelling error. Corrected metric conversion error. Corrected “BOD” to “BOD₅” as requested by the WQD Engineering staff.

Section 13. Corrected formatting errors.

Section 14. Corrected formatting errors.

Section 15. Corrected formatting errors. Corrected “BOD” to “BOD₅” as requested by the WQD Engineering staff.

Section 17. Corrected formatting errors. Corrected metric conversion errors.

Section 18. Corrected formatting errors. Corrected grammar errors. Corrected Roman numeral to Arabic numeral. Corrected “BOD” to “BOD₅” as requested by the WQD Engineering staff.

Section 19. Corrected formatting errors. Corrected Roman numeral to Arabic numeral. Corrected metric conversion errors.

Section 20. Corrected formatting errors. Corrected spelling error. Corrected metric conversion error.

Section 21. Corrected formatting errors.

Section 22. Corrected formatting error.

Section 23. Corrected incorrect uses of “which” to “that.” Corrected formatting errors. Corrected grammar error.

Section 25. Corrected Roman numeral to Arabic numeral.

Section 27. Corrected incorrect uses of “which” to “that.”

Section 28. Corrected grammar errors. Corrected formatting errors. Corrected spelling errors. Corrected Roman numerals to Arabic numerals.

Section 29. Corrected formatting errors. Corrected Roman numerals to Arabic numerals.

Section 30. Corrected grammar errors. Corrected formatting errors. Corrected incorrect uses of “which” to “that.” Corrected Roman numerals to Arabic numerals.

Section 31. Corrected cross reference from Chapter 10 to Chapter 2. Corrected incorrect uses of “which” to “that.” Corrected formatting errors.

Section 50. Corrected incorrect uses of “which” to “that.” Corrected formatting errors.

Section 56. Corrected Roman numeral to Arabic numeral.

Section 58. Corrected Roman numeral to Arabic numeral. Corrected formatting errors.

Section 59. Corrected incorrect uses of “which” to “that.” Corrected formatting errors. Corrected Roman numerals to Arabic numerals.

Section 72. Corrected incorrect uses of “which” to “that.”

Section 73. Corrected incorrect uses of “which” to “that.”

Section 75. Corrected formatting errors.

Section 76. Corrected incorrect uses of “which” to “that.”

Section 78. Corrected formatting errors.

Section 78. Corrected formatting errors. Corrected grammar errors.

Section 84. Corrected incorrect uses of “which” to “that.” Corrected formatting error.

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 20

Section 3. Corrected formatting errors. Corrected incorrect uses of “which” to “that”.

Section 5. Corrected formatting errors. Corrected incorrect uses of “which” to “that.” Corrected cross reference from Chapter 3, Section 15 to Chapter 3, Section 17.

Section 7. Corrected cross reference from Chapter 3, Section 15 to Chapter 3, Section 17.

Section 8. Corrected cross reference from Chapter 3, Section 15 to Chapter 3, Section 17.

Section 12. Corrected formatting errors.

Section 13. Corrected formatting errors.

Section 15. Corrected formatting errors.

Section 16. Corrected formatting errors.

Section 18. Corrected formatting errors.

Section 19. Corrected formatting errors.

- Section 21.** Corrected incorrect uses of “which” to “that.”
- Section 29.** Corrected cross reference from Chapter 3, Section 15 to Chapter 3, Section 17.
- Section 30.** Corrected formatting errors.
- Section 33.** Corrected formatting errors
- Section 34.** Corrected formatting errors.
- Section 35.** Corrected formatting errors. Corrected cross reference from Chapter 3, Section 15 to Chapter 3, Section 17.
- Section 36.** Corrected formatting errors. Corrected cross reference from Chapter 3, Section 15 to Chapter 3, Section 17.
- Section 37.** Corrected formatting errors.
- Section 38.** Corrected cross reference from Chapter 15 to Chapter 11.
- Section 39.** Corrected formatting errors.
- Section 45.** Corrected formatting error.
- Section 47.** Corrected formatting error.
- Section 48.** Corrected formatting error.
- Section 50.** Corrected formatting errors.
- Section 51.** Corrected formatting error.

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 25

Section 10. Corrected cross references from Chapter 27 Section 19 to Chapter 27 Section 17.

Appendix B. Corrected punctuation error.

SUMMARY OF PROPOSED REVISIONS TO CHAPTER 26

- Section 1.** Corrected Roman numeral to Arabic numeral.
- Section 2.** Corrected Roman numeral to Arabic numeral.
- Section 4.** Corrected Roman numeral to Arabic numeral.
- Section 6.** Corrected spelling and formatting errors.

Section 7. Corrected spelling and formatting errors. Corrected incorrect uses of “which” to “that.”

Section 8. Corrected spelling and formatting errors. Corrected incorrect uses of “which” to “that.” Corrected punctuation error.

Section 9. Corrected incorrect uses of “which” to “that.” Corrected formatting errors. Corrected cross reference from Section 65 to Section 6.

Section 10. Corrected incorrect uses of “which” to “that.” Corrected “insure” to “ensure.”

Section 11 Corrected incorrect uses of “which” to “that.” Corrected spelling and formatting errors. Corrected cross reference from Section 65 to Section 6. Corrected cross reference from section 66 to Section 6.

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 23 day of May, 2018.

Tim Flitner
Hearing Examiner – *Printed Name*
Wyoming Environmental Quality Council

Tim Flitner
Hearing Examiner – *Signed Name*
Wyoming Environmental Quality Council