

Wyoming Environmental Quality Council

The Wyoming Environmental Quality Council (EQC) will consider amended rules for the Wyoming Department of Environmental Quality (DEQ), Land Quality Division's (LQD) Coal and Noncoal Programs which are intended to provide efficiency in administering the coal and noncoal financial assurance regulations, consolidate the financial assurance regulations into a single chapter and provide greater flexibility by allowing for real property collateral bonds at a public hearing to be held on February 19, 2019 in Room 127 Hathaway Bldg., 2300 Capitol Ave. Cheyenne, WY, 82002, commencing at 9 a.m.

The LQD, pursuant to the authority vested in it by the Environmental Quality Act, Wyoming Statute (W.S.) §35-11-402(a) and §35-11-417 through 423, proposes to amend Coal Chapter 11 – Financial Assurance and Noncoal Chapter 6 – Financial Assurance. The LQD also proposes to incorporate and amend existing rule language contained in Coal Chapter 20 – Letters of Credit and Noncoal Chapter 12 – Letters of Credit into the revised Coal Chapter 11 and Noncoal Chapter 6 respectively. The new rules meet minimum substantive state statutory requirements in accordance with W.S. § 16-3-103(a)(i)(G). The Department has evaluated the new rules in accordance with W.S. § 9-5-304, and interested persons may inspect a copy of that evaluation and the proposed rule package at the following address: Department of Environmental Quality, Land Quality Division, 200 W. 17th Street, Suite 10, Cheyenne, Wyoming. Electronic copies are available at the EQC website identified below. Persons may also request a copy of the proposed rules by contacting Craig Hults at (307) 777-7066 or email at: craig.hults@wyo.gov. Questions regarding the proposed rules may be directed to Craig Hults at the phone number or email address listed above.

The EQC will consider the proposed rules, written and electronically filed comments, and LQD's Analysis of Comments, along with any modifications proposed by the LQD to the draft rules. At the public hearing, statements that focus on previously received comments, the LQD's Analysis of Comments and issues raised by the analysis will be accepted. The EQC will determine if the record will remain open beyond the close of the scheduled hearing. The EQC may, however close the record and make a final decision regarding the rules at the conclusion of the hearing.

Comments on the proposed rules may be submitted beginning December 24, 2018 and ending at 5:00 p.m. (MST) on February 8, 2019. Written comments should be sent to the Wyoming Department of Environmental Quality, Land Quality Division, 200 W. 17th Street. Suite 10, Cheyenne, WY 82002 or faxed to (307) 635-1784. Electronic comments may only be submitted through and accepted by the DEQ comment portal provided at: <http://lq.wyomingdeq.commentinput.com>. The LQD will file an Analysis of Comments with the EQC prior to the February 19, 2019 public hearing. The proposed rules, comments submitted, and the response to comments will be posted on the Council's website at: <https://eqc.wyo.gov/Public/Dockets.aspx> under Docket #18-4102.

Any person wishing to use a digital presentation during their testimony before the EQC must provide a digital copy to the EQC no less than three (3) days prior to the hearing unless they contact the EQC and request an extension for good cause. Failure to submit a timely digital copy may result in the person not being allowed to use the presentation during their testimony.

In accordance with the Americans with Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities.