

FILED

AUG 19 2020

Jim Ruby, Executive Secretary
Environmental Quality Council

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN THE MATTER OF REVISIONS TO)	
WATER QUALITY RULES AND)	STATEMENT OF
REGULATIONS: CHAPTER 14, FINANCIAL)	PRINCIPAL
ASSURANCE REQUIREMENTS, AND)	REASONS
CHAPTER 28, STANDARDS FOR ISSUING)	FOR
PERMITS FOR COMMERCIAL OILFIELD)	ADOPTION
WASTEWATER DISPOSAL FACILITIES)	

The Environmental Quality Council, pursuant to the authority vested in it by Wyoming Statutes (W.S.) § 35-11-112 (a)(i) has adopted revisions to Wyoming Water Quality Rules and Regulations Chapter 14, Financial Assurance and Chapter 28, Minimum Standards for the Design and Construction of Commercial Oilfield Waste Disposal Facilities.

The Department of Environmental Quality, Water Quality Division proposed removing requirements to allow self-bonding as an allowed instrument for financial assurance as there is little demand to use the instrument and the previous regulations required substantial revision in order to be consistent with authorizing statutes and other Department regulations. Water Quality Division also proposed revisions to Chapter 14 in order to make the financial assurance requirements consistent with other Department and banking rules and statutes related to financial assurance. Water Quality Division proposed adding corrective action plan requirements as the rule had previously required a corrective action plan but did not elaborate on the submission requirements. Water Quality Division proposed formatting and grammar corrections.

The Water Quality Division proposed the adoption of a new chapter, Chapter 28, Standards for Issuing Permits for Commercial Oilfield Wastewater Disposal Facilities in order to streamline and clarify the design, construction, operation, monitoring, and reporting requirements for Commercial Oilfield Waste Disposal Facilities (COWDFs). Previously, Water Quality Division has guided permittees through the various requirements established in 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 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; and Chapter 14, Financial Assurance Requirements through *GUIDELINES: COMMERCIAL OILFIELD WASTEWATER DISPOSAL FACILITIES (COWDF)*, revised October 2013.

7/21/20
Additionally, the Water Quality Division proposed new public participation, public notice, and public hearing requirements for COWDFs that are consistent with other Water Quality Division regulations and practices in order to provide a balanced opportunity for the public to participate in the COWDF permitting process.

The Council finds that these regulations are reasonable and necessary to accomplish the policy and purpose of the Environmental Quality 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 19th day of August, 2020.

Marjorie E. Bedessem
Hearing Examiner – *Printed Name*
Wyoming Environmental Quality Council

Marjorie E. Bedessem
Hearing Examiner – *Signed Name*
Wyoming Environmental Quality Council