

Wyoming Environmental Quality Council

The Wyoming Environmental Quality Council (EQC) will consider proposed revisions to the Wyoming Department of Environmental Quality (WDEQ) Land Quality Division (LQD) Coal and Noncoal Rules at a public hearing to be held on February 25, 2021. The hearing will be held by Zoom video conferencing commencing at 9 a.m. (MST). Individuals interested in attending the videoconference may contact Joe Girardin at (307) 777-7170 or joe.girardin@wyo.gov for assistance.

The LQD, pursuant to the authority vested in it by Wyoming Statute (W.S) § 35-11-402, proposes to revise LQD Coal Rules, Chapter 2, Permit Application Requirements for Surface Coal Mining Operations, LQD Noncoal Rules, Chapter 5, Exploration by Dozing, and LQD Noncoal Rules, Chapter 10, Limited Mining Operations for Fifteen Acres or Less of Affected Land. The proposed revisions to Coal Chapter 2 include adding rules which allow for the disposal of decommissioned wind turbine blades and towers as backfill at coal mining operations, updating the rules to meet Secretary of State formatting requirements, and correct grammatical errors throughout the chapter. The proposed revisions to Noncoal Chapter 5 include creating a new Section 1 of the rules to allow for limited exploration activities of three acres or less, allow for the sale of minerals recovered during exploration, and limiting renewals of exploration operations to two successive renewals. The proposed revisions to Noncoal Chapter 10 include revising the rules to streamline administrative procedures, removing the requirement to begin reclamation within thirty days of abandonment, and replacing that requirement with a five-year renewal period for Limited Mining Operations. The revised rules meet minimum substantive state statutory requirements in accordance with W. S. § 16-3-103(a)(i)(G). WDEQ has evaluated the proposed rules in accordance with W.S. § 9-5-304, and interested parties 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, Cheyenne, Wyoming. Electronic copies are available at the EQC website identified below. Questions and requests for copies of the proposed rules may be directed to Craig Hults, Land Quality Division, at (307) 777-7066 (phone) or craig.hults@wyo.gov (email).

The EQC will consider the proposed rules, written and electronically filed comments, and WDEQ's analysis of comments, along with any modifications proposed by WDEQ to the draft rules. At the public hearing, statements that focus on previously received comments, the WDEQ's Analysis of Comments, and the 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 January 9, 2021 and ending at 5:00 p.m. (MST) on February 23, 2021. Written comments should be sent to the Wyoming Department of Environmental Quality, Land Quality Division, 200 W. 17th St., Suite 10, Cheyenne, Wyoming, 82002. Electronic comments may only be submitted through and accepted by the WDEQ comment portal provided at <http://lq.wyomingdeq.commentinput.com/>. The WDEQ will file an analysis of comments with the EQC prior to the February 25, 2021 public hearing. The proposed rules, comments submitted, and the analysis of comments will be posted on the EQC's website at <https://eqc.wyo.gov/Public/Dockets.aspx> under Dockets #21-4101 (Coal Chapter 2), #21-4102 (Noncoal Chapter 5), and #21-4103 (Noncoal Chapter 10).

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.