

The Wyoming Environmental Quality Council (EQC) will consider a new Solid Waste Rule brought forth by the Wyoming Department of Environmental Quality (WDEQ), Solid and Hazardous Waste Division in Docket #22-5101 at a public hearing on June 14, 2022, at the Capitol Extension Public Meeting Room 5, Herschler Building, 122 W. 25th Street, Cheyenne, WY, 82002, commencing at 9:00 a.m. (MST). At the hearing, the EQC will consider whether to adopt a new Chapter 18 entitled “Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments.”

If adopted, Chapter 18 will regulate disposal of coal combustion residuals in landfills and surface impoundments at active electric utilities or independent power producers and will consolidate regulatory authority over the disposal of coal combustion residuals in the Solid and Hazardous Waste Division. Among other provisions, Chapter 18 incorporates by reference 40 CFR Part 257, Subpart D; Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals from Electric Utilities. Incorporating these standards by reference ensures that Chapter 18 meets the federal minimum criteria.

The proposed rule is promulgated pursuant to W.S. § 35-11-503 and meets the minimum substantive state statutory requirements in accordance with W.S. § 16-3-103(a)(i)(G). The WDEQ evaluated the proposed rule 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 Department of Environmental Quality, Solid and Hazardous Waste 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 rule may be directed to Jody Weikart, Solid and Hazardous Waste Division, at (307) 777-3501 or jody.weikart@wyo.gov.

At the hearing, the EQC will consider the proposed rule, written and electronically filed comments, and WDEQ’s analysis of comments, along with any modifications proposed by the WDEQ to the draft rule. The EQC will also accept statements that focus on previously received comments, the WDEQ’s analysis of comments, and issues raised by the analysis. At the conclusion of the hearing, the EQC may close the record and make a final decision regarding the rule or keep the record open for further proceedings. If the comment period is extended, the extension will be posted on the EQC’s website.

Comments on the proposed rule may be submitted from April 8, 2022, through May 26, 2022 at 5:00 p.m. (MST). Written comments should be sent to the Wyoming Department of Environmental Quality, 200 W. 17th St., Cheyenne, Wyoming, 82002 or faxed to (307) 635-1784. Electronic comments may be submitted through the WDEQ comment portal at <https://shw.wyomingdeq.commentinput.com/>. The WDEQ will file an analysis of comments with the EQC prior to the June 14, 2022 public hearing. The proposed rule, comments submitted, and the analysis of comments will be posted on the EQC’s website at <https://eqc.wyo.gov/Public/Dockets.aspx> under Docket #22-5101.

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 you contact the EQC and request an extension for good cause. Failure to submit a digital copy in a timely manner will result in the person not being allowed to use the presentation during their testimony. Individuals may contact Joe Girardin at (307) 777-7170.

In accordance with the Americans with Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities. Para español, visite <http://deq.wyoming.gov/>