



# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.*



Mark Gordon, Governor



Todd Parfitt, Director

**TO:** John Corra, Chairman, Environmental Quality Council  
**FROM:** Todd Parfitt, Director, Department of Environmental Quality *Todd P*  
**DATE:** July 8, 2022

**SUBJECT:** Hearing Request for Land Quality Division Coal Rules Chapters 10 and 13

The Department of Environmental Quality (Department), Land Quality Division (LQD) is proposing revisions to Coal Rules Chapters 10 – Coal Exploration, and 13 – Surface Coal Mining Permit Revisions, and is requesting the Environmental Quality Council review the proposal and consider adoption of these rules at your September 13, 2022 hearing.

The LQD presented the proposed revisions to the Land Quality Advisory Board (LQAB) at the August 19, 2021 and December 9, 2021 meetings as follows:

- The August 19, 2021 discussion focused on the following topic:
  - Legislative changes to W.S. § 35-11-406 regarding public involvement in permitting actions;
- The December 9, 2021 discussion focused on the following topics:
  - Informal statutory review comments received from Wyoming Attorney General's Office that included grammatical corrections, reordering and reorganizing sections of the chapter;
  - Revisions intended to comply with the Secretary of State's Rules on Rules.
- No comments on the proposed revisions were received during the August or December 2021 LQAB meetings.
- LQAB voted unanimously (3-0) to advise Land Quality Division to proceed with rulemaking.

The Department sought and has been granted approval by the Governor's Office to proceed with the proposed rule on March 31, 2022.

The enclosed statement of principal reasons and public notice summarize the nature of the revisions. We have enclosed one hard copy of the rule package including:

- LQD Coal Rules Chapter 10 and 13, clean copy
- LQD Coal Rules Chapter 10 and 13, strike and underline copy
- Statement of Principal Reasons for Adoption
- Governor Gordon's permission to proceed memo signed March 31, 2022
- Notice of Intent to Adopt Rules
- Takings Checklist and accompanying analysis

- Attorney General's Statutory Authority Review
- August 19 and December 9, 2021 LQAB Meeting transcripts

cc: Kyle Wendtland, LQD Administrator

Enclosures