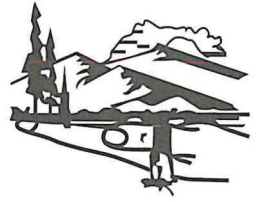




# Department of Environmental Quality

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

## MEMORANDUM

**TO:** Honorable Mark Gordon, Governor

**FROM:** Todd Parfitt, Director, Wyoming Department of Environmental Quality  
 [Agency Contact: Craig Hults, phone 777-7066, email craig.hults@wyo.gov]

**SUBJECT:** Proposed Revisions to Coal Chapters 11 and 14 – Land Quality Division, Department of Environmental Quality

**DATE:** December 5, 2022

**PRIORITY:** HIGH – December 19, 2022

**SUMMARY:** Notice of Agency Rulemaking

*Handwritten note:* LQD 12-5-22

The Department of Environmental Quality, Land Quality Division (LQD) is proposing to amend Coal Chapter 11, Financial Assurance and Chapter 14, Exploration for Coal by Drilling. The proposed revisions to Chapter 11 are intended to comply House Bill, HB0045 (2022) requiring LQD to promulgate rules to establish voluntary assigned trust requirements as an acceptable instrument for posting reclamation bonds. Chapter 14 was revised in response to an OSMRE review comment on the LQD's formal amendment of Chapter 14. Specific information on the proposed revisions can be found in the Statement of Reasons for Coal Chapters 11 and 14.

The LQD Advisory Board reviewed Chapter 11 during meetings held on June 23, 2022, and September 22, 2022. The proposed rules were brought before the Board a second time after the initial scoping meeting in June. Chapter 14 was presented to the Board on September 22, 2022. The Advisory Board recommended the rules proceed to the Environmental Quality Council for formal rulemaking. The proposed rules are not expected to be controversial. The Attorney General's Office has reviewed the rules for statutory authority and agreed they could proceed. The LQD is requesting to proceed with formal rulemaking with this rule package.

### GOVERNORS RESPONSE OPTIONS:

- Agency may proceed.
- Delay Public Comment and Set Up Meeting w/ \_\_\_\_\_

Elizabeth T. Arch  
Signature: Governor's Counsel

12/29/22  
Date