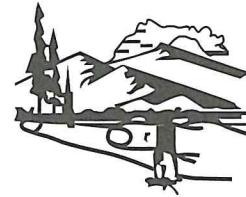




Mark Gordon, Governor

Department of Environmental Quality

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



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 Noncoal Chapters 2 and 9 – Land Quality Division, Department of Environmental Quality

DATE: December 6, 2022

PRIORITY: HIGH – December 20, 2022

SUMMARY: Notice of Agency Rulemaking

Todd Parfitt
12-16-22

The Department of Environmental Quality, Land Quality Division (LQD) is proposing to amend Noncoal Chapters 2, Regular Noncoal Mine Permit Applications and 9, Permit Application Requirements for Small Mining Operations. The proposed revisions to Chapters 2 and 9 are intended to comply with House Bill, HB0123 (2022) requiring LQD to promulgate rules to detail requirements for operators to use inert materials as backfill at noncoal mining operations. Specific information on the proposed revisions can be found in the Statement of Reasons for Noncoal Chapters 2 and 9.

The LQD Advisory Board reviewed Chapters 2 and 9 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. 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. And

 Signature: Governor's Counsel

12/29/22

 Date