

**The Wyoming Environmental Quality Council
Notice of Intent to Adopt Rules**

The Wyoming Environmental Quality Council (EQC) will consider proposed changes to the Wyoming Air Quality Standards and Regulations (WAQSR) brought forth by the Wyoming Department of Environmental Quality (WDEQ) Air Quality Division (AQD) at a public hearing to be held at 9:00 a.m. on October 23, 2024, at Room 127 of the Hathaway Building, 2300 Capitol Ave, Cheyenne, WY 82001. Individuals interested in attending the video conference may contact Joe Girardin at (307) 777-7170 or joe.girardin@wyo.gov for assistance.

The proposed rulemaking Docket # 24-2101 (R-37) involves revisions to WAQSR Chapter 2, Ambient Standards, Chapter 3, General Emission Standards, Chapter 4, State Performance Standards for Specific Existing Sources, Chapter 5, National Emission Standards, Chapter 6, Permitting Requirements, Chapter 8, Nonattainment Area Regulations, Chapter 11, National Acid Rain Program, Chapter 14, Emission Trading Program Regulations.

The Incorporation by Reference sections of WAQSR Chapters 2, 3, 4, 5, 6, 8, 11, and 14 are being revised to incorporate all Code of Federal Regulations (CFR) citations as of July 1, 2024 and to correct outdated website links. If the State does not adopt the most recent versions of these sections by reference, the rules still apply at the federal level. Adopting these national standards into the State rules allows for State implementation of the rules. Additionally, the Division is proposing revisions to Chapter 2, Section 2, Ambient Standards for Particulate Matter, to update the PM_{2.5} primary annual standard so it reflects the newly promulgated 2024 PM_{2.5} National Ambient Air Quality Standards (NAAQS). The Division is also proposing revisions to Chapter 5, Section 2, New Source Performance Standards, to incorporate 40 CFR Part 60, subpart UU, which pertains to standards of performance for asphalt processing and asphalt roofing manufacture and storage, and 40 CFR Part 60, subpart OOOOb, which pertains to standards of performance for crude oil and natural gas facilities that commenced construction, modification, or reconstruction after December 6, 2022. The revisions incorporating these subparts apply to sources located in the State of Wyoming. The Division is also proposing revisions to Chapter 6, Section 3, Operating permits, that remove the Title V Affirmative Defense provisions from subsection (l), per a U.S. Court of Appeals for the D.C. Circuit ruling. The Division is also proposing revisions to Chapter 6, Section 4, Prevention of significant deterioration, that remove the PM_{2.5} Significant Impact Levels from subsection (b)(i)(A)(I)(1.). Additionally, the Division is proposing revisions to Chapter 6, Section 14, Incorporation by Reference, to match the language of other IBR sections in the WAQSR that were updated previously in the R-35 rulemaking package that became State-effective on April 30, 2024. Finally, the Division is proposing two minor, non-substantive typographical revisions in Chapter 3 and Chapter 14.

The proposed revisions to Chapter 2, Section 12, Chapter 3, Section 9, Chapter 6, Sections 4 and 14, and Chapter 8, Section 10 involve changes to the Wyoming State Implementation Plan (SIP).

The Division will submit these SIP revisions to the Environmental Protection Agency after the rules are State effective.

All proposed amendments meet minimum substantive state statutory requirements per W.S. § 16-3-103(a)(i)(G). The agency has complied with the requirements of W.S. § 9-5-304 and completed a takings checklist.

Comments on the proposed revisions contained in Docket # 24-2101 may be submitted beginning at 8:00 a.m. (MST) on August 30, 2024 and ending at 5:00 p.m. (MST) on October 14, 2024. Written comments should be submitted to: Administrator, Air Quality Division, 200 West 17th Street, Cheyenne, Wyoming, 82002; faxed to 307-635-1784; or submitted via the Division's electronic public comment form, found at <http://aq.wyomingdeq.commentinput.com/>. Copies of the public notice, Notice of Intent to Adopt Rules, takings checklist, and the proposed rules are available at the same web address. **If you have any questions regarding the proposed rules, please contact Michael Morris, Air Quality Division, at 307-777-2068.** The AQD will file an Analysis of Comments with the EQC prior to the October 23, 2024 public hearing. The proposed rule, comments submitted, and the response to comments will be posted on the Council's website under Docket # 24-2101 at: <https://eqc.wyo.gov/Public/Dockets.aspx>.

The EQC will consider the proposed rulemaking, written and electronically filed comments, and the AQD's Analysis of Comments, along with any modification proposed by the AQD to the draft rules. At the public hearing, oral statements that focus on the previously received comments, the AQD's Analysis of Comments, and 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. If the comment period is extended, the extensions will be posted on the AQD's website, as well as the EQC's website. The EQC, however, may close the record and make a final decision regarding the rulemaking prior to concluding the hearing.

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 digital copy in a timely manner will result in the person not being allowed to use the presentation during their testimony.

Para español, visite deq.wyoming.gov. *Americans with Disabilities Act: special assistance or alternative formats will be made available upon request for individuals with disabilities. Please provide at least fourteen (14) days before the close of public comment period for such requests.*