

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF REVISIONS TO)	
SECTION TWO OF CHAPTER TWO,)	
SECTION TWELVE OF CHAPTER TWO,)	
SECTION NINE OF CHAPTER THREE,)	
SECTION SIX OF CHAPTER FOUR,)	
SECTIONS TWO AND FOUR OF)	STATEMENT OF
CHAPTER FIVE, SECTIONS THREE,)	PRINCIPAL REASONS
FOUR, AND FOURTEEN OF CHAPTER)	FOR ADOPTION
SIX, SECTION TEN OF CHAPTER)	
EIGHT, SECTION TWO OF CHAPTER)	
ELEVEN, AND SECTION FIVE OF)	
CHAPTER FOURTEEN OF THE)	
WYOMING AIR QUALITY STANDARDS)	
AND REGULATIONS)	
)	

1. The Environmental Quality Council, pursuant to the authority vested in it by the Wyoming Statutes 35-11-112 (a)(i), has revised, removed, or added the following chapters and sections to the Wyoming Air Quality Standards and Regulations:

- (A) Chapter 2, Ambient Standards, Section 2, Ambient Standards for Particulate Matter, and Section 12, Incorporation by Reference
- (B) Chapter 3, General Emission Standards, Section 8, Emission Standards of Asbestos for Demolition, Renovation, Manufacturing, Spraying and Fabricating, and Section 9, Incorporation by Reference
- (C) Chapter 4, State Performance Standards for Specific Existing Sources, Section 6, Incorporation by Reference
- (D) Chapter 5, National Emission Standards, Section 2, New Source Performance Standards, and Section 4, Incorporation by Reference
- (E) Chapter 6, Permitting Requirements, Section 3, Operating permits, Section 4, Prevention of significant deterioration, and Section 14, Incorporation by reference
- (F) Chapter 8, Nonattainment Area Regulations, Section 10, Incorporation by Reference
- (G) Chapter 11, National Acid Rain Program, Section 2, Incorporation by Reference
- (H) Chapter 14, Emission Trading Program Regulations, Section 5, Incorporation by Reference

2. Section 35-11-202 (a) of the Environmental Quality Act states that the Administrator, after consultation with the Advisory Board, shall recommend to the Director such ambient air standards and regulations that may be necessary to prevent, abate, or control pollution.

Section 35-11-202 (b) of the Act states that in recommending such standards the Administrator shall consider all facts and circumstances bearing upon the reasonableness of the emissions involved including:

- (A) The character and degree of injury to, or interference with the health and physical well being of the people, animals, wildlife and plant life;
- (B) The social and economic value of the source of pollution;
- (C) The priority of location in the area involved;
- (D) The technical practicability and economic reasonableness of reducing or eliminating the pollution; and
- (E) The social welfare and aesthetic value.

3. Chapter 2, Ambient Standards, Section 2, Ambient Standards for Particulate Matter, has been updated to reflect the newly promulgated PM_{2.5} National Ambient Air Quality Standards (NAAQS). Section 12, Incorporation by Reference, has been updated to incorporate by reference from the Code of Federal Regulations (CFR) as of July 1, 2024. The revisions to Section 12 involve changes to the State Implementation Plan (SIP).
4. Chapter 3, General Emission Standards, Section 9, Incorporation by Reference, has been updated to incorporate by reference from the CFR as of July 1, 2024. There is one additional, non-substantive revision in Chapter 3, Section 8, pertaining to a typographical revision. The revisions to Section 9 involve changes to the SIP.
5. Chapter 4, State Performance Standards for Specific Existing Sources, Section 6, Incorporation by Reference, has been updated to incorporate by reference from the CFR as of July 1, 2024.
6. Chapter 5, National Emission Standards, Section 2, New Source Performance Standards, has been updated 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. Section 4, Incorporation by Reference, has been updated to incorporate by reference from the CFR as of July 1, 2024.
7. Chapter 6, Permitting Requirements, Section 3, Operating permits, has been updated to remove the Title V Affirmative Defense provisions from subsection (l) per a U.S. Court of Appeals for the D.C. Circuit ruling. The provisions in subsection (l) have been replaced with [Reserved]. Section 4, Prevention of significant deterioration, has been updated to remove the PM_{2.5} Significant Impact Levels from subsection (b)(i)(A)(I)(1.). Section 14, Incorporation by reference, has been updated to incorporate by reference from the CFR as of July 1, 2024. The revisions to Sections 4 and 14 involve changes to the SIP.
8. Chapter 8, Nonattainment Area Regulations, Section 10, Incorporation by Reference, has been updated to incorporate by reference from the CFR as of July 1, 2024. The revisions to Section 10 involve changes to the SIP.
9. Chapter 11, National Acid Rain Program, Section 2, Acid Rain Program, has been updated to incorporate by reference from the CFR as of July 1, 2024.
10. Chapter 14, Emission Trading Program Regulations, Section 5, Incorporation by Reference, has been updated to incorporate by reference from the CFR as of July 1, 2024. There is one additional, non-substantive revision in Chapter 14, Section 5, pertaining to a formatting revision.

The Council finds that these regulations are reasonable and necessary to accomplish the policy and purpose of the Act, as stated in W.S. 35-11-102, and that they have been promulgated in accordance with rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this 23rd day of October, 2024.

Shane True

Hearing Examiner - **Printed Name**
Wyoming Environmental Quality Council

[Signature]

Hearing Examiner - **Signed Name**
Wyoming Environmental Quality Council