



Department of Environmental Quality



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

Dave Freudenthal, Governor

John Corra, Director

February 6, 2008

FILED

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Terri A. Lorenzon, Director
Environmental Quality Council

Ms. Shannon Anderson
Powder River Basin Resource Council
934 N. Main
Sheridan, WY 82801

Dear Ms. Anderson:

The Air Quality Division received your comments of December 14, 2007 regarding a rule proposal for consideration by the Environmental Quality Council. Thank you for taking the time to review our proposal and submit your ideas.

As you know from reading through the rule package, this proposal is a combination of several rulemaking efforts that have already been in front of the Air Quality Advisory Board. The first effort is an adoption by reference process, whereby the Division proposes to update all references to federal regulations which we adopt into State regulation. This particular action proposes to absorb all New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants and Acid Rain regulations published in the Code of Federal Regulations (CFR) as of July 1, 2006 into State regulation. The second piece of our proposal is a reworking of 2003 State regulations necessary for addressing requirements established under the 1999 Federal Regional Haze Rule. We are revising the regulations largely because EPA was sued by the Center for Economic Development and directed by the Court to revise the 1999 rule. The State Air Quality Division has to complete these efforts in order to keep our State Air Program approvable.

Your letter indicates that you do not have a problem with what we are proposing; in fact, you applaud our efforts to come into compliance with new Federal regulations. However, you go on to say that these regulations do not go far enough, that the Department of Environmental Quality should seriously consider the regulation of green house gas emissions. The Air Quality Division notes your comments, however they are outside the scope of the present rulemaking.

Sincerely,

David A. Finley
Administrator, Air Quality Division

cc: John V. Corra, DEQ Director
Richard C. Moore, EQC Chair
Lori Bocchino, AQD
Christine Anderson, AQD

