



Department of Environmental Quality

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



Matthew H. Mead, Governor

Todd Parfitt, Director

MEMORANDUM

TO: Honorable Matthew H. Mead, Governor

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

SUBJECT: Proposed Rule Package, Chapters 1, 2, 6, 12 and 16
 Coal Rules and Regulations, Land Quality Division

DATE: May 8, 2014

PRIORITY: HIGH – Deadline for response is May 22, 2014

SUMMARY: Notice of Agency Rulemaking

Filed: 5/23/2014 11:44:11 AM WEQC

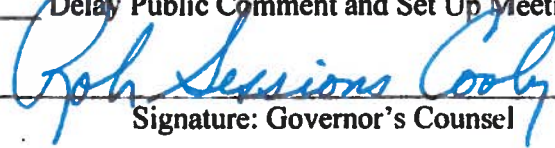
The Department of Environmental Quality, Land Quality Division (LQD) is proposing to amend its Coal Rules and Regulations. The proposed changes are intended to: address concerns the Office of Surface Mining had with two formal amendments which were previously submitted and address a blasting issue which was noted during their annual oversight. The following is a brief summary of the proposed rule changes in Chapters 1, 2, 6, 12 and 16.

- Chapter 1 - Addition of the word “surface” added to definitions for “Control or controller” and “Notice of violation” was revised to correct grammatical error;
- Chapter 2 – Title revised, identification of interests updated and grammatical errors.
- Chapter 6 – Title revised and periodic blasting monitoring requirement now mandatory.
- Chapter 12 – Added minimum requirements for retaining records related to ownership and control, clarified judicial review process, updated LQD responsibilities related to AVS and clarified transfer, assignment or sale of permit rights procedures.
- Chapter 16 – Grammatical changes and added the term “coal” to address OSM concern.

The proposed rules were heard by the LQD Advisory Board on February 24, 2014. The Board recommended the rules proceed to the Environmental Quality Council with minor revision. The proposed changes are not expected to be controversial as no comments were received during the Advisory Board Meeting. 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/ _____



 Signature: Governor’s Counsel

