

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF REVISIONS TO SECTION)	
NINE OF CHAPTER THREE; REVISIONS TO)	
SECTIONS TWO, THREE AND FOUR OF CHAPTER)	
FIVE; REVISIONS TO SECTIONS THREE, FOUR)	STATEMENT OF
AND FOURTEEN OF CHAPTER SIX; REVISIONS TO)	PRINCIPAL REASONS
SECTION THREE OF CHAPTER SEVEN; AND)	FOR ADOPTION
REVISIONS TO SECTION TWO OF CHAPTER)	
ELEVEN 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: Chapter 3, General Emission Standards, Section 9, Incorporation by reference; Chapter 5, National Emission Standards, Section 2, New source performance standards, Section 3, National emission standards for hazardous air pollutants, and Section 4, Incorporation by reference; Chapter 6, Permitting Requirements, Section 3, Operating permits, Section 4, Prevention of significant deterioration, and Section 14, Incorporation by reference; Chapter 7, Monitoring Regulations, Section 3, Compliance assurance monitoring (CAM); and Chapter 11, National Acid Rain Program, Section 2, Acid rain program.

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 3, General Emission Standards, Section 9, Incorporation by reference, was revised as part of the annual effort to adopt changes to the federal definition of VOCs, bringing the version up to date as of July 1, 2013. Section 9 was also revised to include the location on the internet of the incorporated matter as defined in W.S. 9-2-1035(a)(iii). The revisions to Section 9, Incorporation by reference, involve changes to the State Implementation Plan (SIP).

4. Chapter 5, National Emission Standards, Section 2, New source performance standards, Section 3, National emission standards for hazardous air pollutants, and Section 4, Incorporation by reference, and Chapter 11, National Acid Rain Program, Section 2, Acid rain program, have been updated as an annual effort to adopt by reference from the CFR as of July 1, 2013 and relevant sections of the September 23, 2013 Federal Register. Chapter 5, Sections 2 and 4, and Chapter 11, Section 2, were also revised to include the location on the internet of the incorporated matter as defined in W.S. 9-2-1035(a)(iii).

5. Chapter 6, Permitting Requirements, Section 3, Operating permits, Section 4, Prevention of significant deterioration, and Chapter 7, Monitoring Regulations, Section 3, Compliance assurance monitoring (CAM), are being revised to update a citation to a Federal Register article under the definition of “tpy CO₂ equivalent emissions (CO₂e).” Chapter 6, Section 4, has also been revised to specifically list a new minor source baseline date for fine particulate. Chapter 6, Section 14, Incorporation by reference, was updated to adopt by reference from the CFR as of July 1, 2013. Chapter 6, Sections 3, 4, and 14, and Chapter 7, Section 3, were also revised to include the location on the internet of the incorporated matter as defined in W.S. 9-2-1035(a)(iii). Chapter 6, Section 4, Prevention of significant deterioration, and Section 14, Incorporation by reference, involve changes to the State Implementation Plan (SIP).

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 _____ day of _____, 2014.

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

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