

NOTICE OF INTENT TO ADOPT RULES AND REGULATIONS

1. Agency: Department of Environmental Quality/Land Quality Division  
Address: 122 West 25<sup>th</sup> Street, Herschler Building, 3W, Cheyenne  
Agency Contact Person for these rules: Paige Smith  
Work Telephone: 777-6860

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2. *Statement of the terms and substance of the proposed rule or a description of the subjects and issues involved.*

This package proposes to modify Coal rules to take care of a series of Office of Surface Mining disapprovals that date from 1986 to 1992. It addresses identified deficiencies regarding procedures for approving permit revisions, clarification of self-bonding requirements, placement of spoil outside the mined-out area, identification of interests, incidental operation changes and termination of jurisdiction.

3. *Citation to each agency rule being amended or repealed.*

Chapter 1, Section 2; Chapter 2, Section 2; Chapter 4, Section 2; Chapter 11, Sections 1, 2, 3, and 4; Chapter 12, Sections 1 and 2; Chapter 13, Section 1; and Chapter 15, Section 7.

4. *If the proposed rules amend existing rules, a copy of the proposed rules in a format that clearly indicates additions to and deletions from existing language may be obtained at:*

Copies of these proposed rules are available from the address listed below, the WDEQ web page at <http://deq.state.wy.us/lqd/events.htm> or by contacting:

**FILED**

OCT 16 2001

Helen Croissant  
Department of Environmental Quality, Land Quality Division  
122 W. 25<sup>th</sup> Street, Herschler 3W  
Cheyenne, WY 82002  
(307) 777-7757

5. *Statement of the time when, the place where, and the manner in which interested persons may present their views on the intended action.*

Terri A. Lorenzon, Director  
Environmental Quality Council

Persons wishing to submit written comments should do so by 5:00 p.m. on Tuesday, December 4, 2001. Written comments should be addressed to Richard A. Chancellor, Administrator and mailed to the following address:

Department of Environmental Quality, Land Quality Division  
122 W. 25<sup>th</sup> Street, Herschler 3W  
Cheyenne, WY 82002

6. *A public hearing has been scheduled as shown below.*

7. *Yes X No \_\_\_ A public hearing on the proposed rules has been scheduled.*

A public hearing will be held by the Environmental Quality Council to consider these proposed rules on Friday, December 7, 2001 beginning at 1:00 p.m. in the Medicine Bow Room of the Outreach School, 1731 Fraternity Row, Laramie, WY. Those planning to comment verbally at the hearing are encouraged to bring

a written copy of their comments to the hearing and arrive early so that the Council may determine the order of the persons wishing to comment. If a quorum is present, the Council may make a decision on these rules at the end of the hearing. In accordance with the American with Disabilities Act, special assistance or alternate formats will be made available upon request for individuals with disabilities.

8. *Any person may urge the agency not to adopt the rules and also request the agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response considering the overruling must be made prior to, or within 30 days after adoption of the rule, addressed to:*

Richard A. Chancellor, Administrator  
Department of Environmental Quality, Land Quality Division  
122 W. 25<sup>th</sup> Street, Herschler 3W  
Cheyenne, WY 82002

9. *Yes  No  These are New Rules (first set of rules to be promulgated by the agency after the legislature's adoption of a new statutory provision or an act significantly amending an existing statute. A new rule is one that is promulgated in direct response to, or that is mandated by, the enacted statute and may involve creation of an entirely new provision in the agency's rules and the repeal or amendment of an existing rule.)*

10. *Yes  No  These rules are adopted, amended or repealed to comply with federal law or regulatory requirements.*

*If Yes:*

- (a) *Citation to applicable federal law or regulation.*

30 CFR 700.11; 30 CFR 774.13; 30 CFR 774.15; 30 CFR 778.13; 30 CFR 800.11; 30 CFR 800.23;  
30 CFR 816.102;

- (b) *Indicate one:*

*The proposed rules meet but do not exceed minimum federal requirements*  
 *The proposed rules exceed minimum federal requirements.*

11.  *The proposed rule change(s) meet minimum substantive state statutory requirements.*

*The proposed rule change exceeds minimum substantive state statutory requirements.*

*If the rule change exceeds the minimum substantive state statutory requirements, the agency shall include a statement explaining the reason the rule exceeds minimum substantive statutory requirements.*

*Any person wishing to object to the accuracy of any information provided by the agency regarding the federal requirements should submit their objections prior to final adoption to:*

Richard A. Chancellor, Administrator  
Department of Environmental Quality, Land Quality Division  
122 W. 25<sup>th</sup> St., Herschler 3W  
Cheyenne, WY 82002

*If timely objections are submitted, the agency will provide the objecting person with a written response explaining and substantiating the agency's position by reference to federal law or regulations.*