

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

SEP 24 1993

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Environmental Quality Council

IN THE MATTER OF THE PROPOSED)
REVISIONS AND ADDITIONS TO)
SECTION 29, ASBESTOS STANDARDS)
OF ASBESTOS FOR DEMOLITION,)
RENOVATION, MANUFACTURING,)
SPRAYING AND FABRICATING)
TO THE WYOMING AIR QUALITY)
STANDARDS AND REGULATIONS.)

STATEMENT OF
PRINCIPAL REASONS
FOR ADOPTION

1. Adoption of the revised regulation is necessary and in the best interest of the State of Wyoming to protect the public from potential emissions of asbestos to the outdoor air resulting from demolition and renovation of institutional, commercial, or industrial buildings containing asbestos materials and from the manufacturing, fabricating and spraying application of asbestos-containing materials.
2. The EPA, under Section 112 of the Clean Air Act (CAA), promulgated asbestos rules as a National Emission Standards for Hazardous Air Pollutants (NESHAP). Wyoming adopted the Asbestos NESHAP as Section 29 of the Wyoming Air Quality Standards and Regulations (WAQSR) on May 10, 1988 and must periodically adopt any new or revised NESHAP as part of the WAQSR in order for EPA to continue delegating its authority for implementation and enforcement of the asbestos standards to the State.
3. These revisions and additions to Section 29 of the WAQSR will make the State standards consistent with the current Federal Asbestos NESHAP, which became effective on November 20, 1990.
4. 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.

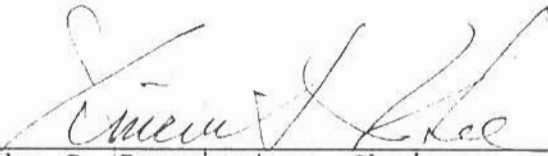
Section 35-11-202(b) of the Act states that in recommending such standards the Administrator shall consider all facts and circumstances bearing upon the reasonableness of the emissions involved including:

- (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.
5. This revised regulation for control of asbestos emissions to the outside air is necessary for the State of Wyoming since asbestos fibers are hazardous air pollutants that could threaten the health and physical well being of the people and would not be emitted in only isolated areas of the State.
 6. Adoption of this revised regulation will not cause economic hardship to the sources involved since regardless of whether Wyoming adopts this regulation, sources must comply with the

corresponding Federal regulation, currently enforced by the Environmental Protection Agency under Subpart M of the National Emission Standards for Hazardous Air Pollutants.

7. Adoption of the revised regulation should insure that EPA continues to delegate the authority for enforcement and implementation of the Asbestos NESHAP to the State of Wyoming, Air Quality Division. In addition, adoption of the regulation will help Wyoming retain primacy over air quality programs in the State and maintain the current level of Federal funding for the Air Quality Program.

Dated this 17th day of September, 1993.



John C. Darrington, Chairman
Wyoming Environmental Quality Council
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