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Terri A. Lorenson, Adm. Aide
Environmental Quality Council

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE PROPOSED)
REVISIONS OF SECTION 21(d))
OF THE WYOMING AIR QUALITY)
STANDARDS AND REGULATIONS)
PERTAINING TO STACK HEIGHT)
PROVISIONS)

STATEMENT OF
PRINCIPAL REASONS
FOR ADOPTION

1. Section 123 of the Clean Air Act prohibits stacks taller than good engineering practice (GEP) height and other dispersion techniques from affecting emission limitations required to meet ambient air quality standards or prevention of significant deterioration allowable increments.
2. Final EPA regulations for stack heights were promulgated in 1985 requiring States to update or put in place regulations which would satisfy Federal regulations. EPA has determined Wyoming's current stack height regulations at Section 21(d) of the Wyoming Air Quality Standards and Regulations to be deficient for the permitting of new sources of air pollution. All of Wyoming's existing source stacks were determined to be in compliance with EPA regulations.
3. Adoption of the proposed regulations is necessary and in the best interest of the State of Wyoming in order to retain control of its air quality new source permit program.
4. Section 35-11-202(a) of the Environmental Quality Act states 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 regulation is appropriate because it requires that the degree of emission limitations shall not be affected by so much of a stack height that exceeds GEP.
 6. No existing sources of pollution in the State will be affected economically by this regulation.

7. The adoption of this regulation will satisfy EPA requirements because the regulations are equal to or more stringent than Federal requirements.

Dated this 20 of April, 1988.


~~Chairman~~ *Vice Chairman*
Wyoming Environmental Quality Council