

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE REVISIONS)	STATEMENT OF
TO SECTION 24 OF THE)	PRINCIPAL REASONS
WYOMING AIR QUALITY STANDARDS)	FOR ADOPTION
AND REGULATIONS)	

1. Adoption of the revisions to Section 24 is necessary to conform Wyoming standards to the requirements of the federal Prevention of Significant Deterioration ("PSD") program and to allow Wyoming to better manage its air quality resources through this program. Thus, adoption of the revisions to Section 24 is in the best interests of the State of Wyoming.
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. The first proposed revision changes the maximum allowable increments of deterioration from total suspended particulate ("TSP") to particulate matter having a nominal diameter of 10 microns or smaller ("PM₁₀"). This revision is required to make Wyoming standards consistent with federal requirements at 40 C.F.R. Parts 51 and 52 and thus, is necessary to maintain Wyoming's primacy over the air quality permitting program.
 4. The second set of proposed revisions to Section 24 incorporates provisions that exclude certain pollution control projects and clean coal technology demonstration projects at existing electric utilities from air quality permitting and review requirements. The regulations are required under EPA amendments to 40 C.F.R. Parts 51, 52 and 60 as promulgated at 57 Fed. Reg. 32314 (July 21, 1992). The proposed revisions will conform Section 24 to federal standards.
 5. The third revision eliminates the "minor source baseline date" set for January 1, 1996. The proposed change only affects the Powder River Basin particulate matter attainment area and will allow Wyoming to better manage its air quality resource. The revision is consistent with the state's ability to manage its PSD program and air quality resources as provided in the Clean Air Act and regulations promulgated in 40 C.F.R. Parts 51 and 52 for the prevention of significant deterioration.

Dated this 19 day of December, 1994.

A handwritten signature in black ink, appearing to read "John A. ...", is written over a horizontal line. The signature is stylized and somewhat illegible due to its cursive nature.

Hearing Examiner
Wyoming Environmental Quality Council