

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

SEP 24 1997

Terri A. Lorenz, A.C.  
Environmental Quality

IN THE MATTER OF THE ADDITION OF ) PROPOSED SECTION 30, OPERATING ) <u>PERMITS</u> , TO THE WYOMING AIR ) QUALITY STANDARDS AND ) REGULATIONS )	STATEMENT OF PRINCIPAL REASONS FOR ADOPTION
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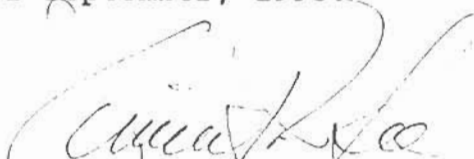
1. Adoption of the proposed Section 30 operating permit regulation is in the best interest of the State of Wyoming since it is not only necessary to comply with federal requirements, but will help insure the continued protection of Wyoming's air quality resources.
2. Section 35-11-202(a) of the Environmental 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. Title V of the Clean Air Act, 42 U.S.C. § 7661a-h, requires states to submit an operating permit program that meets federal requirements to EPA by November 15, 1993. Sections 203-212 of the Wyoming Environmental Quality Act, §§ 35-11-203-212, enacted by the Wyoming Legislature in 1992, authorize the Department, through the Environmental Quality Council, to promulgate regulations for the operating permit program in Wyoming.
  4. The Environmental Protection Agency, pursuant to Title V of the Clean Air Act, has promulgated the federal requirements for the operating permit program at 40 C.F.R. Part 70. Proposed Section 30 meets the minimum federal standards set forth there and is not more stringent than the federal requirements.
  5. The Proposed Section 30 will enhance the ability of the State of Wyoming to protect its air quality through operating permits that will more closely control and monitor the emission of air contaminants. The fee system, as well as the possibility of additional market-based pollution controls in the future, will provide incentives to industry to reduce air pollution.
  6. Adoption of Section 30 will not cause economic hardship to the sources involved since regardless of whether Wyoming adopts this regulation, sources must comply with the requirements of Title V of the Clean Air Act.

7. Adoption of Section 30 should insure that EPA authorizes the State of Wyoming, Air Quality Division, to implement an operating permit program. In addition, adoption of the regulation will help Wyoming retain primacy over air quality programs in the State.

Dated this 17th day of September, 1993.

  
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John C. Darrington, Chairman  
Wyoming Environmental Quality Council

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