

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

IN THE MATTER OF THE)
PROMULGATION OF CHAPTER I)
OF THE SOLID WASTE MANAGEMENT)
RULES AND REGULATIONS)

STATEMENT OF PRINCIPLE REASONS
FOR ADOPTION

The Environmental Quality Council, pursuant to the authority vested in it by Wyoming Statutes 35-11-112(a)(i), has adopted Chapter I of the Solid Waste Management Rules and Regulations.

Chapter I is entitled "General Provisions". The rules and regulations in Chapter I contain a new permit application procedure and general requirements for solid waste management facility permits. The rules and regulations in Chapter I also clarify the permit amendment and permit transfer procedures.

Chapter I is intended for use in conjunction with the specific application requirements for sanitary landfills outlined in Chapter II of the rules and regulations. Chapter I is also intended for use in conjunction with the existing application requirements for construction/demolition, industrial, and hazardous waste disposal facilities described in Chapter X. The

Council believes that there is adequate cause to make the new permitting and public information procedures applicable to all types of solid waste management facility permit actions, because those new procedures have been mandated by statutory changes to the Environmental Quality Act (see W.S. 35-11-502(e)-(m)).

The permitting requirements and public notice procedures outlined in the Solid Waste Management Rules and Regulations, 1975, have been determined to be inadequate to carry out the policy and purpose of the Act. Chapter I alters the existing permitting procedure to provide a more significant permit renewal system through the facility closure period. The new permitting system is more protective of the public health and welfare and will help enable the state to prevent, reduce and eliminate pollution throughout the life of a solid waste management facility.

Chapter I also provides for a new procedure for public participation. This public participation process ensures early public involvement and requires expanded public notice not only on the final version of a permit application, but on draft permits issued by the Department as well.

The Council finds that this regulation is reasonable and necessary to accomplish the policy and purpose of the Act, as stated in W.S. 35-11-102, and that it has been promulgated in accord with the rulemaking provisions of the Wyoming Administrative Procedures Act.

Dated this 19 day of July, 1989

John C. Schiffer

for the Environmental Quality Council