

BEFORE THE  
ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

IN THE MATTER OF )  
THE REVISIONS TO )  
CHAPTERS 1, 2, 3, 6, 7 and 8 )  
OF THE SOLID WASTE )  
RULES AND REGULATIONS )

STATEMENT OF PRINCIPAL REASONS FOR ADOPTION

The Environmental Quality Council, pursuant to the authority vested in it by Wyoming Statutes § 35-11-112(a)(i), has adopted revisions to Chapters 1, 2, 3, 6, 7 and 8 of the Solid Waste Rules and Regulations.

Chapter 1 is entitled "General Provisions". This chapter defines general requirements and terms, permit application, amendment, transfer, denial, revocation and modification procedures, and one-time or emergency waste management authorization procedures for all types of solid waste management facilities. Revisions to Chapter 1 include the addition and/or revision of definitions, prohibited acts, exemptions, public notice and comment requirements, variance application procedures, permit application procedures for low-hazard and low-volume facilities, permit transfers and one-time or emergency waste management authorization requirements.

Chapter 2 is entitled "Sanitary Landfill Regulations". This chapter defines permitting, location, design and construction, operation, monitoring, closure and post-closure care and corrective action standards for sanitary landfills. Revisions to Chapter 2 include the addition and/or revision of permit application requirements, permit terms, location standards, design and construction standards, operating standards, monitoring standards and closure and post-closure standards.

Chapter 3 is entitled "Industrial Landfill Regulations". This chapter defines permitting, location, design and construction, operation, monitoring, closure and post-closure care and corrective action standards for industrial landfills. Revisions to Chapter 3 include the addition and/or revision of permit application requirements, permit terms, location standards, design and construction standards, operating standards, monitoring standards, closure and post-closure standards and corrective action standards.

Chapter 6 is entitled "Transfer, Treatment and Storage Facility Regulations". This chapter defines permitting, location, design, construction, operation, monitoring, and closure standards for facilities that transfer, treat or store solid waste. Revisions to Chapter 6 include an overall reorganization of the chapter and the addition and/or revision of permit application requirements, permit terms, location standards, design and construction standards, operating standards, monitoring standards and closure standards. Different standards are defined for transfer, treatment and storage facilities, low-hazard and low-volume facilities, and mobile facilities.

Chapter 7 is entitled "Financial Assurance Requirements". This chapter defines requirements to demonstrate financial assurance, standards for the coverage, forms, release, recalculation and forfeiture of financial assurance, and standards for participation in the closure and post-closure account for municipally-owned solid waste disposal facilities. Revisions to Chapter 7 include the addition and/or revision of applicability standards, effective dates and cost estimates for low-hazard and low-volume facilities.

Chapter 8 is entitled "Special Waste Management Standards". This chapter defines location, design, construction, operation, and closure standards for facilities which manage special wastes. Revisions to Chapter 8 include the addition and/or revision of definitions and standards for scrap tires, non-friable asbestos, friable asbestos, petroleum-contaminated soils and petroleum storage tanks.

The addition and/or revision of the standards and requirements described above have been made to address changes in the federal solid waste management program (RCRA Subtitle D), changes in the Wyoming Environmental Quality Act and the Wyoming Geologist's Act, and inconsistent and duplicative wording. The changes have also been made to clarify regulatory intent and to simplify regulatory requirements.

The Council finds that the revised regulations are reasonable and necessary to accomplish the policy and purpose of the Act, as stated in Wyoming Statutes § 35-11-102, and that they have been promulgated in accord with the rule making provisions of the Wyoming Administrative Procedures Act.

Dated this 2<sup>nd</sup> day of March, 1998

Wendy S. Hutchinson

Wendy S. Hutchinson, Hearing Examiner  
for the Environmental Quality Council