

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE ADOPTION)
OF CHAPTER XIV, WYOMING WATER)
QUALITY RULES AND REGULATIONS)

STATEMENT OF PRINCIPAL
REASONS FOR ADOPTION

After due consideration, the Wyoming Environmental Quality Council adopted Chapter XIV, Wyoming Water Quality Rules and Regulations, on April 24, 1991. The Environmental Quality Council determined that the adoption of these regulations is necessary and appropriate for the implementation of the policy and purposes of the Wyoming Environmental Quality Act, Sections 35-11-101 through 35-11-1428, W.S. 1977, as amended. In considering the adoption of these regulations, the Environmental Quality Council held a hearing on April 24, 1991, in Laramie, Wyoming. In addition to allowing for oral public comment to be made at the hearing, written comments were also received prior to the time of the hearing. Public notice was provided by a written mailing to the mailing list of the Water Quality Division of the Department of Environmental Quality, a list of approximately 900 persons.

The Environmental Quality Council is mandated by W.S. 35-11-307 to promulgate rules and regulations necessary to establish bonding and financial assurance requirements for commercial waste treatment, storage and disposal facilities used for the management of more than ten (10) tons of dried wastewater treatment sludges or the equivalent thereto per operating day. This statute also states that these facilities will be subject to the same bond requirements provided for commercial oil field waste disposal facilities under W.S. 35-11-306.

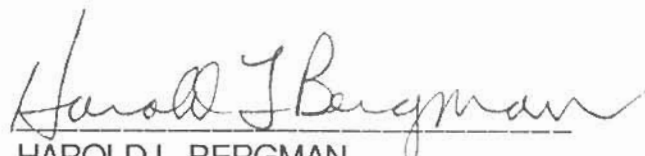
Chapter XIV, Wyoming Water Quality Rules and Regulations was previously promulgated to establish bonding and financial assurance requirements for commercial oil field waste disposal facilities. Since the regulation for commercial sludge management facilities will be the

same as for commercial oil field facilities, it is proposed that Chapter XIV be revised to include sludge facilities. This would make it unnecessary to promulgate a new chapter that would essentially duplicate Chapter XIV.

In accordance with W.S. 35-11-302 (a), a public meeting to receive input prior to developing draft rules was held on August 29, 1990. Draft rules were subsequently developed and presented to the Water Quality Advisory Board. At their November 9, 1990 meeting the Board concurred with the Department proceeding with the rulemaking process. Approval to proceed has been obtained from the Governor and the Water Quality Division will follow the procedure found in W.S. 16-3-101 et.seq. Before submitting these regulations to the Environmental Quality Council, the Department of Environmental Quality published notice in 6 newspapers of general circulation and held public hearings.

These regulations are necessary and appropriate to preserve and exercise the primary responsibilities and rights of the state of Wyoming; to attain for the state the control over its air, land, and water resources; and secure cooperation between agencies of the state and federal government in carrying out the policies and purposes of the Environmental Quality Act. These regulations are reasonable and appropriate to protect the waters of the state.

DATED THIS 24th day of April, 1991.


HAROLD L. BERGMAN
Hearing Examiner