

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF THE)	
ADOPTION OF CHAPTER XVIII,)	STATEMENT OF PRINCIPAL
WYOMING WATER QUALITY RULES)	REASONS FOR ADOPTION
AND REGULATIONS)	

After due consideration, the Wyoming Environmental Quality Council adopted Chapter XVIII, 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.

Section 405 of the federal Water Quality Act of 1987 added Section 402 (p) to the federal Clean Water Act to require the U.S. Environmental Protection Agency (EPA) to establish regulations setting forth NPDES discharge permits for storm water discharges. These regulations have now been promulgated by EPA. The regulations require NPDES primacy states, such as Wyoming, to begin issuing permits for stormwater discharges.

Due to the large number of stormwater discharges, it is not practicable to issue individual permits to each discharger. However, there is an alternative to the issuance of individual permits and that is to

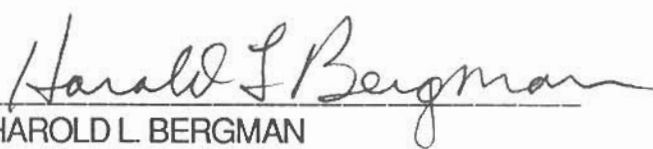
issue "general" NPDES permits. Under a general permit, entire "classes" of dischargers can be permitted through the issuance of a single permit.

In addition to stormwater dischargers, there are other classes of discharges which could be addressed through a general permit system. Examples include the discharges from the hydrostatic testing of pipelines, discharges from construction projects, test pumping of water wells, and recreational gold dredging.

Adoption of general permitting regulations will allow the Wyoming Department of Environmental Quality to maintain NPDES primacy and comply with expanding federal requirements without additional staff.

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