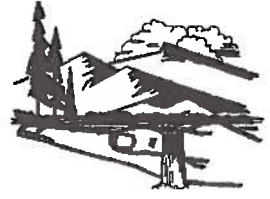





Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

John Corra, Director

To: Honorable Matthew H. Mead, Governor
From: John V. Corra, Director, Department of Environmental Quality 
Subject: Proposed Rules for Chapters 3, 5, 6, 11 and 14 (R-19)
 Department of Environmental Quality, Air Quality Division
Date: October 14, 2011
Priority: **HIGH** – Deadline for response is **October 28, 2011**
Summary: Notice of Agency Rulemaking

The Air Quality Division is proposing revisions to the Wyoming Air Quality Standards and Regulations listed above. The following is a brief summary of the proposed rule changes:

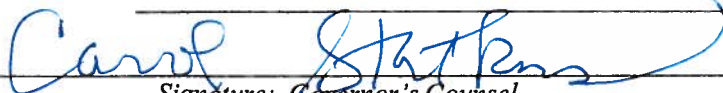
- Annual updates to sections to be adopted by reference from the 2010 Code of Federal Regulations (CFR). If the State does not adopt the most recent versions of these sections by reference, the rule still applies at the federal level.
- Removal of certain New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) subsections where no such sources or categories exist in the State, and the addition of subsections that were newly promulgated before July 1, 2010.
- NESHAP general provisions and NESHAP permitting requirements were removed and adopted by reference from the CFR to maintain consistency with federal language.
- Addition of PM_{2.5} increments to bring up to date with federal requirements, and maintain State primacy in the area of permitting.
- Addition of "Alternative Operating Scenario (AOS)" and "Approved Replicated Methodology (ARM)" definitions.
- Removal of the Mercury Budget Trading Program in response to the vacated federal rule.
- Modifications to the sulfur dioxide milestone program in response to national litigation.

The proposed revisions can be seen in the attached draft rules. Specific information on the changes can be found in the Statement of Principal Reasons (SOPR). The attached SOPR is a draft that will be taken to the Environmental Quality Council (EQC) hearing for a signature. Chapter 3, Section 9, Chapter 6, Sections 4 and 14, and Chapter 14, Sections 3 and 5, involve changes to the State Implementation Plan (SIP). The Wyoming Air Quality Advisory Board recommended that these revisions be taken forward through the rulemaking process at a public meeting held in Green River, Wyoming on August 16, 2011.

Agency Contact Name: Christine Anderson
Agency Contact Phone: 307-675-5624
Agency Contact Email: tina.anderson@wyo.gov

Governor's Response Options (to be completed by Governor's Office):

- Agency may proceed.
 Delay public comment and set up meeting with


 Signature: Governor's Counsel

If no response has been received by the 10th working day, the agency will proceed with these rules.

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