



Department of Environmental Quality

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



2/21/13

Matthew H. Mead, Governor

Todd Parfitt, Director

To: Honorable Matthew H. Mead, Governor
From: Todd Parfitt, Director, Department of Environmental Quality
Subject: Proposed Rules for Chapters 4, 5, 6 and 11 (R-22)
 Department of Environmental Quality, Air Quality Division
Date: February 21, 2013
Priority: **HIGH** – Deadline for response is **March 7, 2013**
Summary: Notice of Agency Rulemaking

TPA

FILED

JUL 15 2013

Jim Ruby, Executive Secretary
Environmental Quality Council

The Air Quality Division (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 New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, and the National Acid Rain Program to be adopted by reference from the 2012 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. Adopting these national standards into the State rules allows for State implementation of the rules.
- Updates to sections affecting the oil and gas industry to be adopted by reference from the August 16, 2012 Federal Register. The State has opted to adopt by reference from the Federal Register as the codification of the final rule will not occur until July 2013. This allows State implementation of the rule to begin expeditiously.
- Updates to regulations covering hospital/medical/infectious waste incinerators so that State regulations match federal guidelines.
- Updates to Prevention of Significant Deterioration (PSD) regulations so that State regulations match federal regulations. Revised regulations are no more stringent than federal regulations and allow Wyoming to maintain primacy over the program. PSD updates include:
 - Revisions that specifically list new minor source baseline dates for fine particulate.
 - Revised federal language on the treatment of condensable particulate matter.
 - Clarifies when the maximum allowable increment is exceeded for particulate matter.
- Adoption of National Emission Standards for Hazardous Air Pollutants (NESHAP) for coal and oil-fired electric generating units (EGUs). Should national litigation or EPA decisions result in modification of this rule, the State will adopt amended rules to maintain consistency with federal regulations.

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). Chapter 6, Sections 4 and 14 involve changes to the State Implementation Plan (SIP). The Wyoming Air Quality



Advisory Board met in Cheyenne, Wyoming on January 16, 2013, and recommended that these revisions be taken forward through the rulemaking process.

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

 3-7-13

Signature: Governor's Counsel

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