



# 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

Todd Parfitt, Director

## MEMORANDUM

# FILED

**TO:** Thomas Coverdale, Chairman, Environmental Quality Council

**FROM:** Steven A. Dietrich, Administrator, Air Quality Division *SAD* Jim Ruby, Executive Secretary  
Environmental Quality Council

**DATE:** December 2, 2013

**SUBJECT:** Notice of Final Adoption of Air Quality Rules: Chapters 3, 4, 5, 6, 8 and 11 (R-22/R-22(b))

DEC 09 2013

Please consider this memorandum as notice of final adoption of revised air quality standards and regulations. Chapters 3, 4, 5, 6, 8 and 11 have been revised in this rulemaking, and changes became effective on November 22, 2013. Copies of the new rules are attached. The revised chapters include a forward, a table of contents and a body of regulations.

Chapter 3, General Emission Standards, Section 2, Emission standards for particulate matter, has been revised to address the treatment of excess emissions from stationary or portable diesel engines. Section 9, Incorporation by reference, was updated to adopt by reference from the Code of Federal Regulations (CFR) as of July 1, 2012. Section 2, Emission standards for particulate matter, and Section 9, Incorporation by reference, involve changes to the State Implementation Plan (SIP).

Chapter 4, State Performance Standards for Specific Existing Sources, Section 1, Introduction to state performance standards for specific existing sources, has been revised to reflect the addition of Section 6, Incorporation by reference. Section 5, Existing hospital/medical/infectious waste incinerators, is outdated and has been revised to maintain consistency with the federal regulations. Section 6, Incorporation by reference, has been added to reference all CFR citations in Chapter 4 as of July 1, 2012.

Chapter 5, National Emission Standards, Section 2, New source performance standards, Section 3, National emission standards for hazardous air pollutants, and Section 4, Incorporation by reference, and Chapter 11, National Acid Rain Program, Section 2, Acid rain program, have been updated as an annual effort to adopt by reference from the CFR as of July 1, 2012 and relevant sections of the August 16, 2012 Federal Register.

Chapter 5, National Emission Standards, Section 2, New source performance standards, has been revised to update the definition of "commenced" to make the definition consistent with the federal definition. Section 3, National emission standards for hazardous air pollutants, was



revised to update footnotes at the bottom of the hazardous air pollutants table near the end of Section 3.

Chapter 6, Permitting Requirements, Section 4, Prevention of significant deterioration, has been revised to specifically list new minor source baseline dates for fine particulate, include revised federal language on the treatment of condensable particulate matter, and clarify when the maximum allowable increment is exceeded for particulate matter. Section 14, Incorporation by reference, was updated to adopt by reference from the CFR as of July 1, 2012. Section 4, Prevention of significant deterioration, and Section 14, Incorporation by reference, involve changes to the SIP.

Chapter 8, Nonattainment Area Regulations, Section 1, Introduction to nonattainment area regulations, has been revised to reflect the reorganization and addition of new sections to the chapter. Section 5, Ozone nonattainment emission inventory rule, is a new rule to establish requirements for the submittal of emission inventories from facilities or sources located in an ozone nonattainment area pursuant to the requirements of the Clean Air Act (CAA), Section 182. Section placeholder numbers for Sections 6, 7, 8, and 9 were added and reserved for future rulemaking purposes. Section 10, Incorporation by reference (formerly Section 5), was updated to adopt by reference from the CFR as of July 1, 2012. Section 5, Ozone nonattainment emission inventory rule, and Section 10, Incorporation by reference, involve changes to the SIP.

These rules were adopted by the Environmental Quality Council at a public hearing in Cheyenne, Wyoming on September 12, 2013, and filed as final rules by the Secretary of State on November 22, 2013.

If you have questions concerning this rule adoption, please feel free to contact Jeni Cederle at 307-777-7740. Current Air Quality Standards and Regulations are available electronically at <http://sos.wy.state.wy.us/Rules/default.aspx>.

Enclosures: 10 Copies Each of Chapters 3, 4, 5, 6, 8 and 11; Certification Page

cc: Christine Anderson, AQD  
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