

CERTIFICATION PAGE FOR LAND QUALITY DIVISION COAL RULES

Adoption Date: June 9, 2009

To guarantee review by the Secretary of State within the 75 day deadline, this package must be submitted to the Secretary of State by: August 21, 2009

GENERAL INFORMATION:

1. Agency: Department of Environmental Quality, Land Quality Division (LQD)
Address: Herschler Building 3W, 122 W. 25th St., Cheyenne, Wyoming 82002
Agency Contact Person for these Rules: Craig Hults
Work Telephone: (307) 777-7066

2. Are these new rules? ("new"- means the first set of regular rules to be promulgated by this agency after the Legislature adopted a new statutory provision or significantly amended an existing statute.) Yes _____ No X

3. Chapter # and name of rules being created, amended or repealed:
LQD Coal Rules: Chapter 1, (Environmental Protection Performance Standards).
Chapter 2, Sections 1-6 (Permit Application Requirements).
Chapter 4, Section 2 and Appendix 4A (Environmental Protection Performance Standards for Coal Mining Operations).
Chapter 5, Section 2(b)(iii) (Performance Standards for Special Categories of Coal Mining).
Appendix A, (Vegetation Sampling Methods and Reclamation Success Standards for Surface Coal Mining Operations).

4. Do these rules replace existing rules? Yes _____ No X If yes, which chapter(s)?

NOTICE OF INTENDED RULEMAKING TO AG, LSO AND SECRETARY OF STATE:

5. Notice of intended rulemaking containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State on: December 23, 2008.

6. Notice of intended rulemaking and proposed rules in strike and underline format were provided to the Legislative Service Office and courtesy copies of the notice and proposed rules were provided to the Attorney General and the Governor on: December 23, 2008.

OFFICE OF THE SECRETARY OF STATE

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PUBLIC NOTICE OF INTENDED RULEMAKING:

7. Yes X No _____ (If applicable) Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.

8. Yes X No _____ A public hearing was held on the proposed rules on: February 11, 2009.

FINAL FILING OF RULES:

9. Yes X No _____ A disk with an exact copy of the attached rules is attached or the electronic copy was sent via electronic mail to the Secretary of State on: June 9, 2009.

10. Final rules with original signatures were sent to the Attorney General's Office for the Governor's signature on: June 9, 2009.

11. Final rules were sent to the Legislative Service Office on: June 9, 2009.

CERTIFICATION BY AGENCY:

The undersigned certifies that the foregoing information is correct.

Date: JUNE 09, 2009

John V. Corra
John V. Corra, Director
Wyoming Department of Environmental Quality

GOVERNOR'S CERTIFICATION:

I have reviewed these rules and determined that they:

- (1) are within the scope of the statutory authority delegated to the adopting agency; and
- (2) appear to be within the scope of the legislative purpose of the statutory authority.

Therefore, I approve the same.

Date: July 25, 2009

Dave Freudenthal
Dave Freudenthal, Governor
State of Wyoming

STATE OF WYOMING
Office of the Secretary
Filed the 25th day of July 2009 at 2:30 P.M.
Max Maxfield
Secretary of State