



Certification Page
Regular and Emergency Rules

SEP 12 2011



1. General Information

a. Agency/Board Name: Department of Environmental Quality - Land Quality Division
b. Agency/Board Address: 122 West 25th Street, Herschler Building - 3W
c. Agency/Board City: Cheyenne
d. Agency/Board Zip Code: 82002
e. Name of Contact Person: Craig Hults
f. Contact Telephone Number: (307) 777-7066
g. Contact Email Address: craig.hults@wyo.gov
h. Adoption Date: June 30, 2011
i. Program(s): Land Quality - Coal

2. Rule Type and Information

a. These rules are: [ ] Emergency Rules [x] Regular Rules
b. Choose all that apply: [ ] New Rules\* [x] Amended Rules [ ] Repealed Rules
\* "New" rules means the first set of regular rules to be promulgated by the Agency after the Legislature adopted a new statutory provision or significantly amended an existing statute.

Table with 2 columns: Chapter Number, Short Title. Rows include: 1 Authorities and Definitions for Surface Coal Mining Operations, 2 Permit Application Requirements, 4 Environmental Protection Performance Standards, 12 Procedures Applicable to Surface Coal Mining Operations, 16 Inspections, Enforcement and Penalties for Surface Coal Mining Operations.

d. [x] The Statement of Reasons is attached to this certification.
e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:

3. State Government Notice of Intended Rulemaking

a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State: April 15, 2011
b. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the Legislative Service Office: April 15, 2011
c. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the Attorney General: April 15, 2011

STATE OF WYOMING
Office of the Secretary
Filed the 12th day of September
2011 at 10:30 A.M.
Doc ID # 8308-8312
Max Maxfield
Secretary of State

**4. Public Notice of Intended Rulemaking**

- a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice.  Yes  No  N/A
- b. A public hearing was held on the proposed rules.  Yes  No

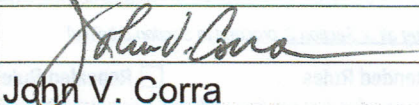
|           |                       |                    |                   |  |
|-----------|-----------------------|--------------------|-------------------|--|
| If "Yes:" | Date:<br>June 6, 2011 | Time:<br>9:00 a.m. | City:<br>Cheyenne | Location:<br>Room 1699, Herschler Building, 122 West 25th Street |
|-----------|-----------------------|--------------------|-------------------|--|

**5. Final Filing of Rules**

- a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature: June 30, 2011
- b. Date on which final rules were sent to the Legislative Service Office: June 30, 2011
- c. Date on which a PDF of the final rules was electronically sent to the Secretary of State: June 30, 2011

**6. Agency/Board Certification**

The undersigned certifies that the foregoing information is correct.

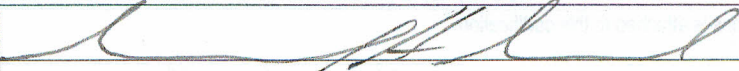
|                                    |   |
|------------------------------------|---|
| Signature of Authorized Individual |  |
| Printed Name of Signatory          | John V. Corra   |
| Signatory Title                    | Director, Department of Environmental Quality                                     |
| Date of Signature                  | June 30, 2011   |

**7. 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;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

|                      |  |
|----------------------|--|
| Governor's Signature |  |
| Date of Signature    | 9/12/11  |

**Distribution List:**

Attorney General

1. Statement of Reasons;
2. Original Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore; and
5. Memo to Governor documenting emergency (emergency rules).

LSO

1. Statement of Reasons;
2. Copy of Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore;
5. Electronic copy of rules: clean and strike/underscore; and
6. Memo to Governor documenting emergency (emergency rules).

SOS

1. PDF of clean copy of rules; and
2. Hard copy of Certification Page as delivered by the AG.

STATE OF WYOMING  
 Office of the Secretary  
 Filed the \_\_\_\_\_ day of \_\_\_\_\_  
 at \_\_\_\_\_ M.  
 Doc ID # \_\_\_\_\_  
 Max Maxfield  
 Secretary of State