

Wyoming Environmental Quality Council

The Wyoming Environmental Quality Council (EQC) will consider proposed revisions to Chapters 1, 2, 4, 12 and 16 of the Wyoming Department of Environmental Quality (DEQ), Land Quality Division (LQD), Coal Rules and Regulations addressing ownership and control issues as well as several Office of Surface Mining Reclamation and Enforcement (OSM) concerns at a public hearing to be held on June 6, 2011 at Room 1699, Herschler Bldg., 122 West 25th St., Cheyenne, Wyoming, commencing at 9:00 a.m..

The LQD, pursuant to the authority vested in it by the Environmental Quality Act, Wyoming Statutes §35-11-101 to 1803 et seq., proposes to amend and revise multiple chapters of the LQD Coal Rules and Regulations. The proposed revisions to Chapter 1 add four new definitions and reinstate one that was deleted previously. Proposed revisions to Chapter 2 added new application content requirements. Proposed amendments to Chapter 4 address several OSM concerns as well as correct incorrect citations. Proposed amendments to Chapter 12 provide additional details regarding the procedures used when making ownership and control findings and entering data into the applicant violator system. Proposed changes to Chapter 16 add procedural mechanisms related to ownership and control findings. All changes are intended to address deficiencies noted by the OSM.

The EQC is seeking comments on the LQD proposed revisions beginning April 15, 2011. That comment period closes on May 31, 2011. Written comments will also become a part of the public record if they are signed by the commenter and submitted the following address: DEQ/Land Quality Division, 122 West 25th Street, Herschler Building – 3W, Cheyenne, WY 82002. Copies of the Proposed Rules and Statement of Principal Reasons are available for review at: <http://deq.state.wy.us/lqd/>. Persons may also request a copy of the proposed rules by contacting Becky Brosius at (307) 777-7176, fax: (307) 777-5864 or email at: rbrosi@wyo.gov. Questions regarding the proposed rules may be directed to Craig Hults at (307) 777-7066 or email at chults@wyo.gov.

The LQD will file an analysis of comments. The EQC has scheduled the public hearing on June 6, 2011. The EQC will consider the proposed rules, written comments, and the analysis of comments, along with any modifications proposed by the LQD to the draft rules. At the public hearing, oral statements that focus on the written comments, the DEQ's analysis of comments and issues raised by the analysis will be accepted. Comments submitted during the comment period can be viewed at the EQC website: <http://deq.state.wy.us/eqc/docket.htm> under the link titled "11-4101".

The Council will determine if the record will remain open beyond the close of the scheduled hearing. The Council may close the record and make a final decision at the conclusion of comments. Therefore, those wishing to comment on these proposed regulations should submit comments pursuant to the schedule given above.

Any person wishing to use a digital presentation during their testimony before the EQC must provide a digital copy to the EQC no less than 3 days prior to the hearing unless you contact the EQC and request an extension for good cause. Failure to submit a timely digital copy will result in the person not being allowed to use the presentation during their testimony.

In accordance with the Americans with Disabilities Act, special assistance or alternative formats will be made available upon request for individuals with disabilities.