

BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL

STATE OF WYOMING

September 12, 2013

FILED

SEP 10 2013

Jim Ruby, Executive Secretary
Environmental Quality Council

IN THE MATTER OF THE)	
PROPOSED REVISION OF)	
THE DEPARTMENT OF)	LAND QUALITY DIVISION
ENVIRONMENTAL QUALITY)	ANALYSIS OF COMMENTS
LAND QUALITY DIVISION)	
NONCOAL RULES AND REGULATIONS)	DOCKET NO. 13- 4101

NONCOAL – Chapters 9 & 10

Noncoal Rule Package –Small Mines and Limited Mining Operations

The following is an analysis of the comments received on Noncoal Rule Package, Chapters 9 and 10. The Land Quality Division (LQD) received one comment on the proposed rules during the public comment period which ran from July 27, 2013 until September 9, 2013. All comments received are discussed in more detail below.

Wyoming Game & Fish Department

The Game and Fish Department commented that they did not have any terrestrial wildlife or aquatic resource concerns. The Game and Fish Department did not offer any substantive comments.

Wyoming DEQ Internal Reviews

During internal reviews of the proposed changes the Land Quality Division became aware that Chapter 10, Subsection 1(b), did not include a time frame for submitting notifications to landowners within one mile of the proposed operation. The revised statutory language at W.S. §35-11-401(e)(vi) states that “[a] copy of the notice shall also be mailed to all surface owners located within one mile of the proposed boundary of the limited mining operation at least thirty days before commencing operations. The Land Quality Division is therefore proposing to add this requirement into the rule language at Chapter 10, Subsection 1(b) as follows:

Chapter 10, Section 1(b) At least thirty (30) days prior to commencing operations, the operator must notify by mail all surface owners located within one (1) mile of the proposed boundary of the limited mining operation. The surface owner notification must include:

The LQD does not propose any additional changes to the rules as originally presented based on comments received.