



## **RULE MAKING OUTREACH DOCUMENT**

### **PROPOSED RULE REVISION UNDERGROUND AND ABOVE GROUND STORAGE TANKS**

Department of Environmental Quality  
Solid and Hazardous Waste Management Division

September 8, 2006

## **Initial Opportunity For Public Recommendations**

As an initial step in the rule making process, the Solid and Hazardous Waste Management Division solicited public input and comment regarding the modification of rules and regulations for the protection of waters of the state and the public health and safety caused by leaks from underground and above ground storage tanks. A public meeting was held June 2, 2006, in Cheyenne, Wyoming. Written or oral comments were received at the public meeting and after.

## **Rule Adoption Process**

After receiving public input from this outreach, the administrator prepared draft regulations for the revision of Chapter 17, Wyoming Water Quality Rules and Regulations relating to above ground and underground Storage Tanks. The public will have an opportunity to comment on the draft revised regulations at a public hearing before the Water and Waste Advisory Board, scheduled for October 18, 2006 at the University Outreach Center, Casper, Wyoming. The final proposed regulations will go before the Environmental Quality Council for adoption in accordance with the provisions of the Wyoming Administrative Procedures Act. The public will also have the opportunity to comment on the proposed rules before adoption by the Environmental Quality Council.

## **Rule History and Applicability**

The Department of Environmental Quality, Water Quality Division, pursuant to the authority vested in it by the Act, Wyoming Statutes 16-3-101 et seq., promulgated Chapter 17, Wyoming Water Quality Rules and Regulation on June 18, 1996. Since that date, a major deadline for the upgrading of underground storage tanks has come and gone, and these rules were amended December 1, 2005. These rules apply to all underground and above ground storage tanks as defined by the Water Pollution from Underground Storage Tanks Corrective Action Act of 1990 as amended.

## **Purpose for this Proposed Revision**

Provide for prohibition of deliveries. In August, 2005 the President signed a bill called the Underground Storage Tanks Compliance Act of 2005. This act requires that states adopt rules to allow the prohibition of deliveries to non-compliant storage tanks no later than two years after the effective date of that law.

Provide for Licensing of Operators of Storage Tanks, Those who Install and Modify Tanks and Lines, and those who Provide Testing of tanks and lines. The Underground Storage Tanks Compliance Act of 2005 also requires that states pass regulations requiring licensing of all of these persons no later than four years after the effective date of that law.

Make minor adjustments to the text of the Chapter. The department just finished revision to this chapter on December 1, 2005. Now that the last amendment is final, several comments have been received about better ways to word some sections of the rules. Some of these comments have merit. This amendment will allow some changes to be made to other sections of the rules.

## **Point of Contact:**

Persons who have questions about storage tank program rules and regulations may contact Robert Lucht at (307) 777-7095, e-mail [blucht@state.wy.us](mailto:blucht@state.wy.us) or FAX 307-777-5973. All suggestions and recommendations for the proposed rules must be made at the public meeting or submitted as written comments to be part of the record. E-mailed comments will not be considered unless the same comments are also mailed in hard copy, but we will gladly answer your questions by e-mail.