

REPLY TO
ATTENTION OF**DEPARTMENT OF DEFENSE**
REGIONAL ENVIRONMENTAL COORDINATOR, REGION VIII
WESTERN REGIONAL ENVIRONMENTAL OFFICEUS Custom House
721 19th Street, 4th Floor, Rm. 427
Denver, CO 80202-2500

June 20, 2007

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Western Regional Environmental Office

Wyoming Environmental Quality Council
S&HWD Rules
Herschler Building - 1W
122 W. 25th Street
Cheyenne, WY 82002Terri A. Lorenzon, Director
Environmental Quality Council

Via Facsimile: (307) 777-6134

Re: Proposed Revisions to Chapter 17, Water Quality Rules & Regulations,
Underground Storage Tank Rules

Dear Sir/Madam:

I am the Department of Defense (DoD) Regional Environmental Coordinator for the states in Environmental Protection Agency Region 8. In this capacity, my staff and I have often worked well with Wyoming environmental and natural resource agencies to exchange information on environmental topics, to coordinate related projects and initiatives, to avoid conflicts where possible, and to help resolve issues efficiently.

Thank you for the opportunity to comment on the Proposed Revisions to Chapter 17, Water Quality Rules & Regulations, Underground Storage Tank Rules. The U.S. Department of Defense (DoD) and the Military Services generally support state proposed prohibitions on delivery of product into tanks that are in fact ineligible for such delivery. Nevertheless, DoD and the Services identified issues of concern in the Wyoming proposed rule, which were discussed with representatives of the Wyoming Department of Environmental Quality and the Wyoming Attorney General's Office.

First, based on those discussions and changes by the Department to the originally proposed regulations based on comments received, we understand that any delivery prohibition will apply only to a non-compliant tank system (i.e., any connected tanks and piping), and not to other compliant tank systems at an installation.

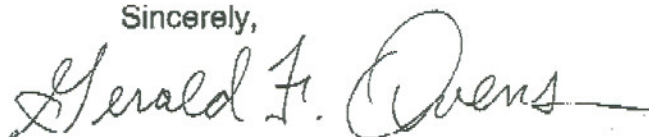
Second, also based on those discussions we understand that the Department will apply Section 35-11-701 of the Wyoming Statutes to any proposed delivery prohibition. Thus, written notice of an alleged violation will be provided to a responsible party, who may request a hearing before the Wyoming

Environmental Quality Council and an order imposing a delivery prohibition will be stayed pending the final determination of the Council.

We request that any action by the Council on the proposed revisions be consistent with those understandings and to the extent practical that those understandings be reflected in the final rules.

Please do not hesitate to contact me at (303)844-0953 if you have questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Gerald F. Owens". The signature is written in black ink and includes a long horizontal flourish at the end.

Gerald F. Owens
Department of Defense
Regional Environmental Coordinator,
Region 8