



A COMMUNITY OF CHOICE

**PUBLIC WORKS DEPARTMENT**

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**SOLID AND HAZARDOUS  
WASTE DIVISION**

**FEB 22 2013**

February 22, 2013

**FILED**

**FEB 25 2013**

State of Wyoming Environment Quality Council  
c/o Wyoming Department of Environmental Quality  
122 West 25 Street  
Herschler Building, 4 West  
Cheyenne, WY 82002

Jim Ruby, Executive Secretary  
Environmental Quality Council

RE: Proposed changes to Chapter 7, Solid Waste Rules and Regulations

Members of the Environmental Quality Council and Department of Environmental Quality Staff:

The City of Cheyenne offers the following comments regarding the proposed changes (dated October 26, 2012) to Chapter 7 of the Wyoming Solid Waste Rules and Regulations. The changes proposed by the Department of Environmental Quality (DEQ) have the potential to impose an additional financial burden on the City and other landfill operators that are making good faith efforts to secure funding and complete closure and post-closure activities. The City of Cheyenne created a landfill closure account and makes regular (monthly) deposits into that account. The creation and funding of these closure and post closure accounts by the City of Cheyenne and other Landfill operators reduces the potential risk that funds will need to be expended from the State Guarantee Trust Account (SGTA) to complete closure and post closure activities. To recognize and encourage landfill operators to secure funding for closure and post-closure activities, the City of Cheyenne recommends changes to the proposed rule that would allow landfill operators to reduce their closure and post-closure cost estimates by the amount of funds, grants, or loans that have been secured to complete these activities, before they calculate their annual payment amount. Revised regulatory language is provided below for your consideration:

Solid Waste Chapter 7, Section 9.

(iii) Calculate the annual amount to be paid to the account using the formula:

$$0.03 \times (\text{Closure Cost} + \text{Post-Closure Cost})$$

$$\text{Annual Amount} = \frac{\text{Useable Capacity}}{\text{Useable Capacity}}$$

Annual Payment Amount = (0.03 X (closure cost + post-closure cost) / years of remaining disposal capacity) – total of previous payments to the account. Closure and post-closure costs may be reduced by funds, grants,

or loans secured by the operator for closure and post-closure activities prior to calculating the annual payment amount.

Thank you for your consideration.



Respectfully,  
James E. Elias  
Director

xc: Mayor Richard L. Kaysen  
Members of the City Council