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From: **Kathy Lenz** <klenz@rangeweb.net>
Date: Mon, Feb 25, 2013 at 3:55 PM
Subject: Proposed Solid Waste Chapter 7 Rule Change
To: bob.doctor@wyo.gov

Jim Ruby, Executive Secretary
Environmental Quality Council

Mr. Doctor,

The City of Sundance offers the following comments regarding 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 landfill operators that are making good faith efforts to secure funding and complete closure and post-closure activities. Landfill operators who are securing funding for these activities reduce the potential risk that funds will need to be expended from the State Guarantee Trust Account (SGTA) to complete these activities. To recognize and encourage landfill operators to secure funding for closure and post-closure activities, we recommend 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. Thank you.

Kathy A. Lenz

Solid Waste Chapter 7, Section 9

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

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

Annual Amount =

Usable Capacity

Annual Payment Amount - $(0.03 \times (\text{closure cost} + \text{post-closure cost}) / \text{years of remaining disposal capacity})$ - 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.

Kathy A. Lenz

Clerk Treasurer

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