Notice of Intent to Adopt Rules

Revised July 2016

1. General Information

a. Agency/Board Name Department of Environmental Quality		
b. Agency/Board Address 200 W. 17th Street	c. City Cheyenne	d. Zip Code 82001
e. Name of Contact Person Bob Doctor	f. Contact Telephone Number 307-473-3468	
g. Contact Email Address bob.doctor@wyo.gov		
h. Date of Public Notice September 5, 2016	i. Comment Period Ends October 24, 2016	
j. Program Solid and Hazardous Waste Division		

2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed.

a. If "New," provide the Enrolled Act numbers and years enacted:

b. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed

Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	New	Amended	Repealed
1	General Provisions	☐	■	☐
2	Municipal Solid Waste Landfill Regulations	☐	■	☐
9	Suspension of Permits for New Commercial Solid Waste Management Facilities	☐	☐	■
15	Solid Waste Management Rules and Regulations	☐	☐	■
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐

c. ■ The Statement of Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

Complete all that apply:

☑ The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):
1, 2, 9, 15
(Provide chapter numbers)

☐ These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Reasons).
(Provide chapter numbers)

☐ N/A These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

d. ■ N/A ☐ In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Section 5 of the Rules on Rules).

e. A copy of the proposed rules* may be obtained:

■ By contacting the Agency at the physical and/or email address listed in Section 1 above.

■ At the following URL: http://deq.wyoming.gov/shwd/resources/proposed-rules-regulations-3/

* If Item "d" above is not checked, the proposed rules shall be in strike and underscore format.

3. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. ☒ Yes ☐ No

If "Yes:"	Date:	Time:	City:	Location:
	November 17, 2016	9:00 am	Cheyenne	Herschler Building, 122 W. 25th Street, Room 1699

b. What is the manner in which interested persons may present their views on the rulemaking action?

☒ By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

☒ At the following URL: http://deq.wyoming.gov/shwd/resources/proposed-rules-regulations-3/

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

☒ To the Agency at the physical and/or email address listed in Section 1 above.

☒ At the following URL: http://deq.wyoming.gov/shwd/solid-waste/

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Contact Person listed in Section 1 above.

4. Federal Law Requirements

a. These rules are created/amended/repealed to comply with federal law or regulatory requirements. ☐ Yes ☒ No

If "Yes:" Applicable Federal Law or Regulation Citation:

Indicate one (1):

☐ The proposed rules meet, but do not exceed, minimum federal requirements.

☐ The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

☐ To the Agency at the physical and/or email address listed in Section 1 above.

☐ At the following URL: _____

5. State Statutory Requirements

a. Indicate one (1):

☒ The proposed rule change *MEETS* minimum substantive statutory requirements.

☐ The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

☒ The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

☒ By contacting the Agency at the physical and/or email address listed in Section 1 above.

☒ At the following URL: http://deq.wyoming.gov/shwd/resources/proposed-rules-regulations-3/

☐ Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

Printed Name of Authorized Individual	Todd Parfitt
Title of Authorized Individual	Director
Date of Authorization	September 9, 2016

Distribution List:

- Attorney General and LSO: Hard copy of Notice of Intent; Statement of Reasons; clean copy of the rules; and strike-through and underline version of rules (if applicable). Electronic copies (PDFs) of all items noted (in addition to hard copies) may be emailed to LSO at LSO-Rules@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.