



Notice of Intent to Adopt Rules

Revised July 2013

FILED

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Jim Ruby, Executive Secretary
Environmental Quality Council

| 1. General Information | | | |
|---|--------------------------------|--|----------------------|
| a. Agency/Board Name Department of Environmental Quality - Land Quality Division (LQD) | | | |
| b. Agency/Board Address 122 West 25th Street, Herschler Building -3W | | c. City Cheyenne | d. Zip Code 82002 |
| e. Name of Contact Person Craig Hults | | f. Contact Telephone Number (307) 777-7066 | |
| g. Contact Email Address craig.hults@wyo.gov | | | |
| h. Date of Public Notice July 26, 2013 | | i. Comment Period Ends September 9, 2013 | |
| j. Program Land Quality - Noncoal | | | |
| 2. Rule Type and Information: For each chapter listed, indicate if the rule is New, Amended, or Repealed. | | | |
| If "New," provide the Enrolled Act numbers and years enacted: | | | |
| a. Provide the Chapter Number, Short Title, and Rule Type of Each Chapter being Created/Amended/Repealed <i>Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.</i> | | | |
| Chapter Number: 11 | Short Title: In Situ Mining | <input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
| Chapter Number: | Short Title: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
| Chapter Number: | Short Title: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
| Chapter Number: | Short Title: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
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| Chapter Number: | Short Title: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
| Chapter Number: | Short Title: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
| Chapter Number: | Short Title: | <input type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Repealed | |
| c. <input checked="" type="checkbox"/> The Statement of Reasons is attached to this certification. | | | |
| d. <input checked="" type="checkbox"/> N/A <input type="checkbox"/> 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: | | | |
| <input checked="" type="checkbox"/> By contacting the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> At the following URL: _____ | | | |
| * 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: September 12, 2013 | Time: 1:00 p.m. | City: Cheyenne | Location: Conference Room 1699, Herschler Building, 122 W. 25th Street, Cheyenne, WY 82002 |
|-----------|--------------------------|-----------------|----------------|--|

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: _____

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: _____

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/revoked to comply with federal law or regulatory requirements. Yes No

| | |
|-----------|---|
| If "Yes:" | Applicable Federal Law or Regulation Citation: 40 C.F.R 146.4 |
| | Indicate one (1): <input checked="" type="checkbox"/> The proposed rules meet, but do not exceed, minimum federal requirements. <input type="checkbox"/> 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: <input type="checkbox"/> To the Agency at the physical and/or email address listed in Section 1 above. <input type="checkbox"/> 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: _____
 Not Applicable.

6. Authorization

a. I certify that the foregoing information is correct.

| | |
|---------------------------------------|-------------------------------------|
| Printed Name of Authorized Individual | Craig Hults |
| Title of Authorized Individual | Natural Resources Program Principle |
| Date of Authorization | July 26, 2013 |

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). *Optional:* electronic copies of all items noted (in addition to hard copies) may be emailed to LSO at Criss.Carlson@wyoleg.gov.
- Secretary of State: Electronic version of Notice of Intent sent to Rules@wyo.gov.