



Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

November 21, 2008

Ms. Carol Rushin
Acting Regional Administrator
USEPA Region 8
Mail Code: 8P-AR
1595 Wynkoop Street
Denver, CO 80202-1129

RE: Request for Approval of the Wyoming State Implementation Plan (SIP) Addressing Regional Haze Visibility Protection for the Mandatory Federal Class I Areas Required Under 40 CFR 51.309

Dear Ms. Rushin:

The State of Wyoming is hereby submitting a revision to the Regional Haze State Implementation Plan (SIP) which was originally submitted to EPA on December 24, 2003. This SIP contains the necessary measures to ensure that the State of Wyoming is working toward the national goal for visibility contained in 42 U.S.C. 7491 (Clean Air Act), and fulfills a portion of the requirements under 40 CFR part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans, Subpart P - Protection of Visibility. As a transport region state, the State of Wyoming elected to meet the regional haze visibility requirements of Subpart P by submitting an implementation plan that complies with the requirements of 40 CFR 51.309: Requirements related to the Grand Canyon Visibility Transport Commission.

This Plan was created to address regional haze visibility impairments as required in 40 CFR part 51.300-309 (July 1, 1999). The rule was amended in the Federal Register on July 6, 2005 and again on October 13, 2006, as a result of two legal challenges. While the Department still supports the basic strategy of participating in a Western Backstop Emission Trading Program for sulfur dioxide, it was necessary to revise the Plan to respond to changes in the Federal rule.

One of the Plan revisions involved updating the State rule authorizing sulfur dioxide emissions trading. The Environmental Quality Council conducted a public hearing on February 27, 2008 to consider adoption of revised Chapter 14, Emission Trading Program Regulations, to the Wyoming Air Quality Standard and Regulations (WAQS&R). After reviewing comments received before or during the Council's hearing, the Council approved the Chapter 14 Emission Trading Program Regulations on February 27, 2008. The revised Chapter 14 Emission Trading Program Regulations were filed by the Secretary of State's Office on May 7, 2008, and on that date became effective State rules.

On June 5, 2008, the Air Quality Division brought the revised SIP before the Air Quality Advisory Board during another public forum. The Board voted and strongly recommended that the SIP be submitted to the Governor for approval. The SIP Certification Page was signed by Governor Freudenthal on September 15, 2008, thereby approving the SIP for submittal to EPA.

Herschler Building • 122 West 25th Street • Cheyenne, WY 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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The following administrative materials have been included in the SIP submission for your review:

I. Materials Relevant to State Rulemaking

1. A copy of the stamped Certification Page by the Secretary of State indicating the effective date of the revisions for Chapter 14, Emission Trading Program, which became effective on May 7, 2008.
2. A copy of the Statement of Principal Reasons, adopted and signed by the Environmental Quality Council on February 27, 2008.
3. A March 17, 2008 review from the Legislative Service Office finding the revised regulations within the scope and intent of legislative authority.
4. A copy of the public notice for the February 27, 2008 hearing, along with a list of newspapers and dates of publication.
5. A copy of the Affidavit of Publication from the Casper Star Tribune, notarized January 18, 2008.
6. A copy of the agenda for the February 27, 2008 Environmental Quality Council hearing.
7. A list of participants present at the February 27, 2008 hearing.
8. Copies of public comment and State responses to Chapter 14.
9. Two copies of revised Chapter 14, one copy showing where revisions were made in redline and strikeout and a second copy with all revisions incorporated.

II. Materials Relevant to Overall State Implementation Plan Addressing 40 CFR 51.309

10. A copy of a September 11, 2008 memorandum from John V. Corra, Director of the Department of Environmental Quality, to the Governor recommending approval of the revised SIP for submittal to EPA.
11. A copy of the Certification Page for State Implementation Plans for the Air Quality Division of the Department of Environmental Quality, indicating September 15, 2008 as the approval date of the SIP revision.
12. A copy of the public notice issued by the Air Quality Division for the June 5, 2008 public hearing with a list of newspapers and dates of publication.
13. A copy of the Affidavit of Publication from the Casper Star Tribune, notarized May 28, 2008.
14. A copy of the agenda for the June 5, 2008 Air Quality Advisory Board hearing.
15. A list of participants at the June 5, 2008 hearing.

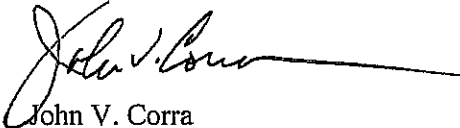
16. A copy of public comment and State responses to the revised SIP.
17. A November 20, 2008 letter from Nancy Vehr, Senior Assistant Attorney General, documenting the necessary legal authority under State law to adopt and implement the revised SIP and regulations.
18. A copy of the SIP, as approved by the Governor.

With this submission, I am asking for the Environmental Protection Agency's approval of the revised State Implementation Plan for the State of Wyoming as approved by the Governor on September 15, 2008, to address requirements for regional haze visibility protection in mandatory Federal Class I areas under 40 CFR 51.309.

The Western Regional Air Partnership (WRAP) Technical Support Document (TSD), revised May 7, 2008, and a copy of a revised component of the Wyoming TSD titled, "Demonstration That the SO₂ Milestones Provide Greater Reasonable Progress Than BART" are also attached.

If you have any questions regarding this submittal, please contact David A. Finley, Air Quality Division Administrator, at 307-777-7393.

Sincerely,



John V. Corra
Director, Department of Environmental Quality

Enclosures

cc: David A. Finley, Administrator, AQD w/o Enclosures
Lori Bocchino, AQD w/o Enclosures
Christine Anderson, AQD w/ Enclosures
Brian Bohlmann, AQD w/o Enclosures
Jennifer Meints, EPA w/o Enclosures