



Department of Environmental Quality

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



Matthew H. Mead, Governor

John Corra, Director

July 7, 2011

Ms. Shannon Anderson
Powder River Basin Resource Council
934 N. Main St.
Sheridan, WY 82801

RE: Request for Public Hearing Associated with Patriot Energy Draft UIC Permit 10-498

Dear Ms. Anderson:

This letter is in response to your letter of June 10, 2011 regarding the above referenced draft UIC permit. Your letter provides comments on the draft permit and requests that the agency hold a public hearing.

A response to your comments will be provided under separate cover from John Passehl, who is the UIC program supervisor. The purpose of this letter will be to respond to the request for hearing.

Administration of the Class V Injection Well Program is described under Wyoming Water Quality Rules and Regulations, Chapter 16. Section 13 of those rules includes the public hearing requirements. Subpart (j) states: "Request for public hearing must be made in writing to the administrator and shall state the reasons for the request." Subpart (k) states: "The Administrator shall hold a hearing whenever the administrator finds, on the basis of requests, a significant degree of public interest in a draft permit. The administrator has the discretion to hold a hearing whenever such a hearing may clarify issues involved in a permit decision".

With regards to subpart (j), your request for a hearing does not include any reasons for the request. With regards to subpart (k) I do not find a "significant" degree of public interest. Other than your comments, only one other valid comment letter was received (from the BLM), and there were no comments from any land or mineral owners within the permit area. Nor do I find under subpart (k) the need to clarify issues involved in the permit decision. This particular permit is uncomplicated, and I do not see how the holding of a hearing could significantly clarify the issues as already described in the application, statement of reasons, the public notice and the draft permit (all of which are available on-line or in hard copy upon request).

Therefore it is my decision not to hold a public hearing in this case.

Sincerely,


John F. Wagner
Administrator

JFW/rm/11-0634

