

SENATE FILE NO. SF0085

General permits.

Sponsored by: Joint Minerals, Business and Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to administrative procedure; specifying
2 that a general permit is not a rule under the Wyoming
3 Administrative Procedure Act; specifying procedural
4 requirements for general permits issued by the department
5 of environmental quality; providing a definition; and
6 providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 16-3-101(b)(ix)(G), by creating a new
11 subparagraph (H), by creating a new paragraph (xi) and by
12 renumbering (xi) as (xii) and 35-11-801 by creating a new
13 subsection (d) are amended to read:

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15 **16-3-101. Short title; definitions.**

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1 (b) As used in this act:

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3 (ix) "Rule" means each agency statement of
4 general applicability that implements, interprets and
5 prescribes law, policy or ordinances of cities and towns,
6 or describes the organization, procedures, or practice
7 requirements of any agency. The term includes the amendment
8 or repeal of a prior rule, but does not include:

9

10 (G) Designations under W.S.
11 9-2-1022(h) (i) ~~i~~ or

12

13 (H) A general permit.

14

15 (xi) "General permit" means a permit issued by
16 the department of environmental quality which authorizes a
17 category or categories of discharges or emissions;

18

19 ~~(xi)~~ (xii) "This act" means W.S. 16-3-101 through
20 16-3-115.

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22 **35-11-801. Issuance of permits and licenses.**

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1 (d) General permits shall be issued solely in
2 accordance with procedures set forth by regulation adopted
3 by the council. Procedures for the issuances of general
4 permits shall include public notice and an opportunity for
5 comment. All department authorizations to use general
6 permits under this section shall be available for public
7 comment for thirty (30) days. Any aggrieved party may
8 appeal the authorization as provided in this act.

9

10 **Section 2.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

14

15

(END)