

ORIGINAL HOUSE
BILL NO. 0063

ENROLLED ACT NO. 23, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2013 GENERAL SESSION

AN ACT relating to public health and safety; authorizing the department of environmental quality to submit an amended greenhouse gas regulation state implementation plan to the United States environmental protection agency; authorizing the department of environmental quality to promulgate new source performance standards for greenhouse gases; and providing for an effective date.

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

Section 1. W.S. 35-11-213(e), (f), (h)(intro) and (m)(intro) is amended to read:

35-11-213. Restrictions on state regulations related to greenhouse gas emissions.

(e) Notwithstanding the provisions of subsections (a) through (d) of this section and pursuant to the provisions of subsections (e) through (k) of this section, the department and council shall adopt regulations to amend Wyoming's Clean Air Act state implementation plan and Wyoming's Title V operating permit program to the extent necessary to obtain state primacy over the regulation of greenhouse gases for those sources that would otherwise be subject to federal regulation for greenhouse gases by the United States environmental protection agency. ~~Pursuant to the provisions of W.S. 16-3-104(b)(i), the regulations promulgated and adopted pursuant to the authority granted in this subsection shall be effective on the date the department receives authority to submit an amended state implementation plan to the United States environmental protection agency as provided by subsection (h) of this section~~ The department and council may promulgate new source performance standards for greenhouse gases that are

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no more stringent than federal greenhouse gas new source performance standards.

(f) In no event shall any greenhouse gas emission regulations, new source performance standards or potential to emit thresholds promulgated pursuant to subsection (e) of this section be more stringent than those imposed or required by federal law. Regulations under subsection (e) of this section shall only regulate those gases identified by the United States environmental protection agency as greenhouse gases.

(h) The department may submit an amended state implementation plan providing for regulation of greenhouse gases to the United States environmental protection agency for approval. ~~only after the occurrence of the earlier of the following events:~~

(m) The governor shall certify to the secretary of state the occurrence of any act which ~~repeals subsections (e) through (k) of this section pursuant to subsection (j) of this section.~~ The effective date of such repeal of subsections (e) through (k) of this section shall be the date the governor's certification is filed with the secretary of state.

Section 2. W.S. 35-11-213(h)(i), (ii), (m)(i) and (ii) is repealed.

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk