

SENATE FILE NO. SF0117

Air quality construction permitting.

Sponsored by: Senator(s) Bebout, Anderson, J.D. (SD02),
Cooper and Von Flatern and Representative(s)
Larsen, Lockhart, Throne and Walters

A BILL

for

1 AN ACT relating to environmental quality; authorizing the
2 operation of specified oil and gas exploration or
3 production wells or activities following application for a
4 construction permit; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 35-11-801(c) and by creating new
9 subsections (e) and (f) is amended to read:

10

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

12

13 (c) Except as provided in subsection (e) of this
14 section, a permit to construct is required before
15 construction or modification of any industrial facility

1 capable of causing or increasing air or water pollution in
2 excess of standards established by the department is
3 commenced.

4
5 (e) Except for sources required to have a permit
6 before construction or modification under the applicable
7 requirements of W.S. 35-11-203 and sources specified by the
8 director, if an applicant for an air quality permit for an
9 oil or gas exploration or production well, with its
10 associated equipment, has submitted a timely and complete
11 application for a permit to construct or modify within
12 ninety (90) days of the first date of production of the oil
13 and gas operation, the applicant's failure to have a permit
14 shall not be a violation of this section. An applicant
15 complies with this section if the applicant demonstrates to
16 the administrator of the air quality division that the oil
17 and gas exploration or production activity qualifies as a
18 nonmajor source. The application shall contain, at a
19 minimum, a demonstration that the applicant will apply the
20 best available control technology to the oil and gas
21 production and exploration activity.

22

1 (f) As used in subsection (e) of this section, "first
2 date of production" means the date permanent production
3 equipment is in place and product is consistently flowing
4 to sales lines, gathering lines or storage tanks.
5 Production occurring during well completion activities
6 which is routed to temporary production equipment is
7 considered to occur prior to the first date of production.
8 If extended periods of time may pass between zone
9 completions but production from initially completed zones
10 is consistently flowing to permanent production equipment,
11 the first date of production is the date when production
12 from the initial zones began consistently flowing to the
13 permanent production equipment, even though more zones will
14 be completed later.

15
16 **Section 2.** This act is effective July 1, 2015.

17
18 (END)