

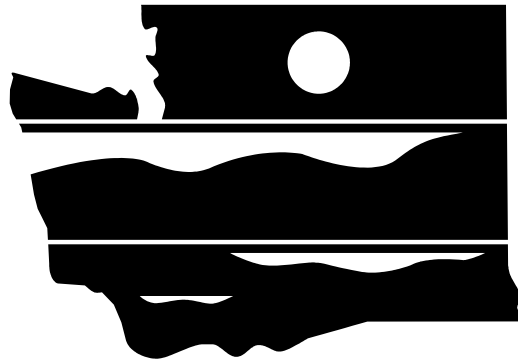
WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

As required by the Washington State Administrative Act, RCW 34.05.

IMPLEMENTATION PLAN FOR THE ADOPTION OF
Chapter 173-430 WAC, Agricultural Burning

7/25/06

Publication Number: 06-02-012



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

As required by the Washington State Administrative Act, RCW 34.05.

IMPLEMENTATION PLAN FOR THE ADOPTION OF
CHAPTER 173-430 WAC, Agricultural Burning

Prepared by:
Melissa McEachron
Washington State Department of Ecology
Air Quality Program

7/25/06

Publication Number: 06-02-012

If you need this publication in another format, please call Tami Dahlgren at (360) 407-6800. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

TABLE OF CONTENTS

- | | |
|---|--------|
| 1. How the agency intends to implement and enforce the rule | Page 3 |
| 2. How the agency intends to inform and educate affected persons about the rule | Page 3 |
| 3. How the agency intends to promote and assist voluntary compliance for this rule | Page 3 |
| 4. How the agency intends to evaluate whether the rule achieves the purpose for which it was adopted | Page 3 |
| 5. How the agency intends to train and inform Ecology staff regarding the new rule or rule amendment | Page 4 |
| 6. Supporting documents that may need to be revised or developed because of the new rule/rule amendment | Page 4 |

Implementation Plan for Chapter 173 - 430 WAC, Agricultural Burning

1. Please describe how the Agency intends to implement and enforce the rule. Please include a description of the resources the Agency intends to use.

As a result of legislation, litigation, and technological advances, Ecology and Local Air Agencies are already implementing the majority of provisions in this rule amendment. The remaining provisions, including smoke management index documentation and templates for Local Air Authorities will be accomplished and available over the fall burning season.

Ecology and Local Air Authorities with jurisdiction are responsible for permitting for this source type. The provisions of the amendment integrate any additional enforcement responsibilities or criteria into current enforcement activities.

Resources include technical assistance from headquarters for air quality permitting authorities through-out the state and Ecology regions. The outreach staff in ERO and CRO will be providing the "templates" and up dating the Agricultural Burning web-site and AG -Burning list serve sites.

2. Please describe how the Agency intends to inform and educate affected persons about the rule.

Information and education will be accomplished through the following methods:

- A mail-out or email of the Rule Notification sheet to growers and citizens using the AG-BURN listserv and/or Air Quality Program agricultural burning permit lists;
- Email Rule Notification material to Local Air Authorities in the state of Washington;
- Post the Rule Notification sheet on Ecology's website;
- Email the Rule Notification sheet to Ecology Delegated Authorities and address any changes at the annual training session.
- Email the Rule Notification sheet to members of the Agricultural Burning Practices and Research Task Force.

3. Please describe how the Agency intends to promote and assist voluntary compliance for this rule.

Compliance with the permit requirements is mandatory in the new law and corresponding rule. However, there are opportunities for permitting authorities, including Department of Ecology offices, to inform the potentially affected and affected applicants of the program and its compliance criteria. This technical assistance typically occurs by one-on-one interaction with growers at the application phase or earlier.

4. Please describe how the Agency intends to evaluate whether the rule achieves the purpose for which it was adopted, including to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcome.

Ecology has committed to producing an annual report. The annual report will be expanded and include the following additional categories of information:

- The number and type of Smoke Management Index Documentation forms generated;

- The number of permitted acres that were not burned due to poor meteorological conditions;

5. Please describe how the Agency intends to train and inform Ecology staff regarding new rule or rule amendment.

Ecology staff in the Central and Eastern Regional Offices were involved in the rule making process and are aware of the changes. Each regional office will dedicate part of the Agricultural burning program education and reach position duties to train remaining staff regarding the changes.

Headquarters staff is providing technical assistance on monitoring data requests and monitoring placement requests.

6. Please identify supporting documents that may need to be revised because of the rule amendment. Or Identify new supporting documents that need to be developed because of a new rule.

- revise applications and permits
- create application and permit templates for Local Air Authorities
- changes to the Agricultural Burning web-site
- revise delegation orders