

# Know the Law Before You Build

Thank you for considering Washington State for your business. Our state welcomes new businesses. We work hard to make air quality permitting easy for you, as well as protective of our environment. The following information is to help you understand Washington State's air quality requirements. Please contact the Air Quality Program at (509) 329-3400 (Eastern Region) or (509) 575-2809 (Central Region) if you have any questions.

## Air Quality Permits

**Do you need a permit?** Some commercial businesses and many industrial plants emit air pollution and may need an air quality permit. The Department of Ecology (Ecology) issues air quality permits for most counties in eastern Washington. The air quality permit is called a Notice of Construction (NOC). **Washington State air quality regulations require the owner or operator of a new or modified source of air pollution to get an NOC Approval Order before construction begins.**

**How can you find out if you need a permit?** Contact Ecology's Air Quality Program before you start to construct your facility. We will determine if your project requires an air quality permit. If an air quality permit is required, we can provide technical assistance throughout the permitting process.

### **PLEASE REMEMBER: CALL BEFORE YOU CONSTRUCT**

Common air pollution sources found in light industrial settings include dust collection systems and surface coating operations. Many industrial plants have steam boilers and process equipment that emit air pollution. Emergency back-up diesel or natural gas-fired generators may require a permit.

### **How long does it take to get a permit?**

The amount of time it takes to get an air quality permit depends on the complexity of your project, and on you. The Air Quality Program will review your air quality permit application within 30 days of receipt. We may ask you for additional information, and it is your responsibility to send us that information. Once we issue a draft air quality permit, there is a 30-day public comment period before we can issue a final permit.

More information on air quality permitting is available at <http://apps.ecy.wa.gov/permithandbook/category.asp?id=1>.

## Office of Regulatory Assistance

The Governor's Office of Regulatory Assistance (ORA) helps businesses understand how rules, regulations and government requirements apply to environmental permitting and business licensing. They are a great resource to help any business find their way through the permitting process.

For a listing of all ORA services, please visit [www.ora.wa.gov](http://www.ora.wa.gov). You may also contact the Environmental Permit Service Center at 1-800-917-0043 or [assistance@ora.wa.gov](mailto:assistance@ora.wa.gov).

## Disposing of Construction Debris

### Can you burn construction debris?

You can only burn natural vegetation in areas where burning is allowed. Even where burning is allowed, you need a land clearing burn permit from Ecology to do any outdoor burning at a commercial site. It is always illegal to burn the following materials (per WAC 173-425-050):

- Building materials including paints, vinyl flooring, roofing and scrap lumber
- Rubber products, including tires
- Plastics or petroleum products
- Garbage or refuse (including asphalt and metal)
- Cardboard and paper
- Material that produces smoke that is offensive or harmful to neighbors

### Why is burning those materials illegal?

Burning prohibited materials may release toxic chemicals into the air. All of the above materials must be recycled, composted or brought to a landfill or transfer station.

***Please remember that in many areas, all forms of burning are illegal. You are responsible to find out if burning is legal in your construction area.***

**What can you do with vegetation where burning is not allowed?** Before you clear vegetation from your construction site, consider disposal costs. Think creatively— some communities have composting facilities or wood chippers that may be available.

## Controlling Dust

Construction often involves removing vegetation, leveling, and excavating. These activities may cause dust that affects neighbors and others in the community. Soil stockpiles, unpaved roads, and areas stripped of vegetation also create dust.

You are responsible for the dust your activities generate. You can be held legally liable for damage caused by dust from your property. Dust can also cause health problems for you, your workers, and your neighbors.

**What can you do?** You can control the amount of dust from your property by using water, covering stockpiles, and limiting traffic on unpaved access roads. Leave as much vegetation on the property as possible when you start leveling. Vegetation acts as a natural cover to the land, and will reduce the amount of dust your construction activities make. Re-vegetate disturbed ground as soon as possible after construction to control dust from your property.

**REMEMBER: Dust can harm your neighbors, and may result in lawsuits to recover cleanup costs.**

**What about dust from demolishing or renovating?** If you are demolishing or renovating any commercial facility, you must submit an asbestos demolition/renovation form. See the Air Quality Permits link at <http://www.ecy.wa.gov/programs/air/airhome.html> for more information.



Contact Ecology for more information: Eastern Regional Office, (509) 329-3400 Central Regional Office, (509) 575-2490. Or visit [www.ecy.wa.gov](http://www.ecy.wa.gov).