



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

Operating Permit Regulation

Chapter 173-401 WAC

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Publication and Contact Information

This report is available on the Department of Ecology's website at <http://www.ecy.wa.gov/biblio/1002044.html> .

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Ecology publishes this document to meet the requirements of the Washington State Administrative Procedure Act (RCW 34.05.325)

To ask about the availability of this document in a version for the visually impaired, call the Air Quality Program at 360-407-6800.

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Purpose

Ecology provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

Introduction

The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-401 WAC, Operating Permit Regulation about how the Department of Ecology (Ecology) intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

Implementation and Enforcement

Implementation and enforcement of this state rule lies with the permitting agency responsible for maintaining air quality in its jurisdiction. There are about 120 air operating permit holders spread throughout the state.

1. Statewide program implementation: Crystal Alford, Ecology, is responsible for the statewide implementation of the Air Operating Permit Program.
2. Local air agency implementation and enforcement. Each of the seven clean air agencies and four Ecology sections are responsible for issuing and enforcing the Air Operating Permit Program to sources under its jurisdiction.

Respective air agency	Counties under its jurisdiction
Benton Clean Air Agency	Benton
Northwest Clean Air Agency	Whatcom, Island, & Skagit
Olympic Region Clean Air Agency	Thurston, Mason, Pacific, Grays Harbor, Jefferson, & Clallam

Respective air agency	Counties under its jurisdiction
Puget Sound Clean Air Agency	King, Snohomish, Pierce, & Kitsap
Southwest Clean Air Agency	Lewis, Skamania, Clark, Cowlitz, & Wahkiakum
Spokane Regional Clean Air Agency	Spokane
Yakima Regional Clean Air Agency	Yakima
Department of Ecology – Central Regional Office	Chelan, Douglas, Kittitas, Klickitat, Okanogan
Department of Ecology – Eastern Regional Office	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Stevens, Walla Walla, Whitman

Other jurisdiction	Facility
Department of Ecology – Nuclear Waste Program	U.S. Department of Energy's Hanford Site
Department of Ecology – Industrial Section	8 pulp and paper mills; 2 aluminum smelters

Informing and Educating Persons Affected by the Rule

Existing sources

Ecology will issue a press release when the rule is adopted and send email notice to the existing permit sources. Ecology will work directly with our sources and through the local air agencies to inform and educate sources about the rule change.

New sources

Ecology intends to identify potential candidates. We will work with the new sources and local air agencies to determine who might be interested in getting a voluntary emissions limit to stay out of the permit program.

Promoting and Assisting Voluntary Compliance

Ecology will promote compliance when the permit is issued, revised or open for renewal.

Ecology intends to focus our efforts on new sources in the next six months. We will work with the local air agencies to identify new sources to determine if the new source might be interested in getting a voluntary emission limit on its operations to stay out of the permit program. We will

draft a template for this emissions limit to aid all agencies in issuing the limit before the July 1, 2011 deadline.

Evaluating the Rule

The purpose of this rule is to require air operating permit sources to include greenhouse gas emissions when they receive, revise or reopen their permit.

For existing air operating permit sources with the potential to emit less than 100,000 tons of greenhouse gas (equivalent) emissions: source adds the reporting requirement to its list of applicable requirements. We expect 100 percent compliance with this requirement.

For sources with potential emissions greater than 100,000 tons per year of greenhouse gases after July 1, 2011:

1. Existing sources: Ecology expects 100 percent compliance with the requirement to quantify their emissions in their permit.
2. New sources: Between January 2011 and July 1, 2011, Ecology expects to:
 - Identify new sources;
 - Provide outreach to potentially affected sources, including materials that allow a source to determine if they are a major source of greenhouse gases;
 - Coordinate the issuance of federally enforceable voluntary emissions limit orders; and
 - Distribute air operating permit applications to these new major sources of greenhouse gases before July 1, 2011.

Training and Informing Ecology Staff

The statewide Air Operating Permit Coordinator will develop a plan to train and inform both Ecology staff and interested local air agency staff.

List of Supporting Documents that May Need to be Written or Revised

The Air Quality Program will need to develop guidance on how to perform emissions calculations to determine if a permit source is subject to the greenhouse gas emissions reporting. We will also evaluate whether we can develop a template for an order establishing a voluntary emissions limit for greenhouse gases for sources that want to stay out of the permit program. Lastly, Ecology might need to develop a template air operating permit for a source that is major only due to emissions of greenhouse gases.

More Information

More information on the Air Operating Permit Program is available at our website:
http://www.ecy.wa.gov/programs/air/AOP_Permits/AOP_permits.html.

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