

Rule Proposal Notice

Air Quality Program

March 2011

Air Quality Fee Regulation, Chapter 173-455 Washington Administrative Code (WAC)

The Department of Ecology proposes to adopt, Air Quality Fee Regulation, Chapter 173-455 WAC. The rule proposal will be published in the Washington State Register on March 16, 2011.

The purpose of this rule proposal is update fees to make Washington's permitting process for air pollution sources more financially self-sufficient. The revenue collected at the existing fee level does not cover the cost of processing a request.

Ecology issued a:

- Determination of Nonsignificance (DNS) and Environmental Checklist under the State Environmental Policy Act.
- Small Business Economic Impact Statement (SBEIS).
- Preliminary Cost-Benefit analysis.

These documents and the proposed rule language are available for review and comment until April 15, 2011.

Public hearing schedule

Lacey: April 5, 2011
Open house: 6 pm
Hearing: 7 pm
Dept. of Ecology, 300 Desmond Drive SE

Ellensburg: April 6, 2011
Open house: 5:30 pm
Hearing: 6:30 pm
Hal Holmes Center, 209 N. Ruby Street

Spokane: April 7, 2011
Open house: 5:30 pm
Hearing: 6:30 pm
Dept. of Ecology, 4601 N. Monroe St

WHY IT MATTERS

Washington's program implements state and federal air quality requirements that protect human health and the environment from emissions from industrial and commercial sources.

Current new source review fees are not sufficient to pay for Ecology's permit review. Ecology currently relies on general fund monies to make up the difference. We will not be able to continue to do this because of general fund reductions. The legislature approved a fee increase that will result in permit applicants paying the full cost of their permits. This helps the statewide budget deficit and prevents permit delays that could slow economic recovery.

Contact information:

Elena Guilfoil
Air Quality Program
360-407-6855
Elena.Guilfoil@ecy.wa.gov

Special accommodations:

If you need this document in a format for the visually impaired, call the Air Quality Program at 360-407-6800.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

How to submit your comments

The comment period ends April 15, 2011. Comments must be received by 5:00 pm.

You can give us your official comments in the following ways:

1. Testify at public hearings.
2. Email your comments to AQComments@ecy.wa.gov.
3. Mail comments to:
Department of Ecology
Air Quality Program
Elena Guilfoil
PO Box 47600
Olympia, WA 98504-7600

Ecology's response to your comments

All of the comments Ecology receives will become part of the official record. We will respond to all comments in a document called a Concise Explanatory Statement (CES). The CES is required by the Administrative Procedure Act (RCW 34.05) and is published after the rule is adopted. You will find your name listed in the document with a reference to where, in the document, Ecology responded your comments.

Expected adoption date

Ecology expects to adopt this rule no earlier than May 23, 2011. We expect the new fees to take effect no earlier than July 1, 2011.

Open house

The Department of Ecology will hold an open house one hour prior to each hearing. This is an opportunity for the public to ask questions. Informational materials will be available to read or take home. At each hearing, elements of the rule will be discussed in a short presentation. A formal public hearing session will follow where members of the public may provide comments for the official hearing record.

On the Web

For copies of the proposed rule, please visit Ecology's website at:
<http://www.ecy.wa.gov/laws-rules/wac173455/1004.html>.

