



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

**General regulations for air pollution
sources**

Chapter 173-400 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/pubs/1102013.pdf>.

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

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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 173-400 WAC, General regulations for air pollution sources, 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 rule lies with Ecology and the seven local air agencies responsible for maintaining air quality within their jurisdictions. Local air authority staff and Ecology staff are the resources that will be used to implement this rule.

Permitting agency	Jurisdiction
Benton Clean Air Agency	Benton County
Northwest Clean Air Agency	Island, Skagit & Whatcom counties
Olympic Region Clean Air Agency	Clallam, Jefferson, Grays Harbor, Mason, Thurston & Pacific counties
Puget Sound Clean Air Agency	King, Kitsap, Pierce & Snohomish County
Southwest Clean Air Agency	Clark, Cowlitz, Lewis, Skamania, & Wahkiakum counties
Spokane Regional Clean Air Agency	Spokane
Yakima Regional Clean Air Agency	Yakima
Central Regional Office - Dept. of Ecology	Chelan, Douglas, Kittitas, Klickitat & Okanogan counties
Eastern Regional Office – Dept. of Ecology	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Stevens, Walla Walla & Whitman counties
Northwest Regional Office – Dept. of Ecology	San Juan County
Industrial Section, Waste 2 Resources Program – Dept. of Ecology	Major industries in Washington State
Nuclear Waste Program – Dept. of Ecology	U.S. Dept. of Energy’s Hanford Site

Informing and Educating Persons Affected by the Rule

Ecology will issue a press release when the rule is adopted and send email notice to the individuals that worked with us on developing the rule amendments. When applicants contact Ecology and the local air agencies, we will inform and educate them about the rule changes that affect them.

We will revise the permit notification forms to include information about the new and revised provisions in Chapter 173-400 WAC for emergency engines and non-road engines. The revision of these notification forms will disseminate information about the new provisions to operators of portable concrete batch plants, rock crushers and asphalt plants that operate with general orders.

Promoting and Assisting Voluntary Compliance

Some of the rule amendments implement initiatives recently enacted at the national level by the Environmental Protection Agency (EPA). The amendments set thresholds for greenhouse gas emissions for permits under the new source review and Title V permit programs. EPA’s

initiative received quite a bit of press coverage. Sources in the state have been following the national initiative and are waiting for adoption of the state rules. We will continue working directly with state sources as the new emission thresholds become applicable.

Ecology will promote compliance when air emission permits are issued or revised.

Evaluating the Rule

Chapter 173-400 WAC is a substantial part of the framework of Washington's program to meet federal air quality standards and protect health. The rule includes a number of programs, such as the new source review program for major and minor sources in attainment, unclassifiable and nonattainment areas. The proposed amendments contain new elements that regulate new sources and modifications for major sources in nonattainment areas. "Nonattainment areas" are specific areas in the state where the air quality does not meet the standards set by EPA.

The proposed amendments to Chapter 173-400 WAC will:

- Bring the rule in line with the EPA's current new source review requirements.
- Support Ecology's revision to the State Implementation Plan (SIP).
- Simplify the permitting for portable sources and emergency electric generators.

Ecology will submit the state Prevention of Significant Deterioration rule sections to EPA for approval into the State Implementation Plan (SIP), a statewide plan for meeting air quality standards. With the Wapato Hills nonattainment area, this rule revision is an important segment of the state implementation plan that Ecology will submit to EPA to bring that area into compliance with the National Ambient Air Quality Standards.

When EPA considers sections of Chapter 173-400 WAC for adoption into the SIP, they will review those sections for compliance with the federal Clean Air Act. If EPA finds sections are out of compliance with federal regulations, they will notify Ecology and we will have the opportunity to revise the rule and bring it into compliance.

Training and Informing Ecology Staff

Many of the Ecology staff responsible for implementing this revised rule participated on the rule advisory committee and are already familiar with the nuances of the rule changes. These staff are available to coach other permit writers in their sections on how to best implement the changes. In addition, the rule changes have been discussed with the permit writers' workgroup, which is made up of staff from local air agencies, EPA, and Ecology. We will continue working with the permit writers' workgroup as we begin the next step of rule implementation, submittal of the state implementation plan. We are scheduled to make a presentation in March, 2011 to the quarterly meeting of the Washington Air Quality Managers. We will present an overview of the rule changes and next steps for the state implementation plan.

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

We will review the existing general orders, implemented in compliance with WAC 173-400-560, to assure that they comply with the Chapter 173-400 WAC revisions. Changes will be made as necessary. The following general orders will be reviewed for compliance:

- General Order Concrete Batch Plants
- General Order Diesel Powered Emergency Electrical Generators
- General Order for Gas-powered Emergency Electrical Generators
- General Order for Perchloroethylene Dry Cleaners Using Less than 2100 Gallons per Year
- General Order for Stationary Rock Crushers
- General Order for Portable Rock Crushers
- General Order for Small Water Heaters and Steam Generating Boilers
- General Order for Auto Body Shops

More Information

For more information on the Air Quality Program see:

<http://www.ecy.wa.gov/programs/air/airhome.html>

For more information on general orders see:

http://www.ecy.wa.gov/programs/air/AOP_Permits/Boiler/GeneralOrders.htm

For more information on businesses and industries in Washington that need air quality permits see: http://www.ecy.wa.gov/programs/air/permit_register/NewPermitsPage.html

For more information on local clean air agencies see:

<http://www.ecy.wa.gov/programs/air/local.html>

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