



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Rule Implementation Plan**

**General regulations for air pollution  
sources**

**Chapter 173-400 WAC**

**Operating permit regulation**

**Chapter 173-401 WAC**

---

August 2011  
Publication no. 11-02-031

## Publication and Contact Information

This report is available on the Department of Ecology's website at <http://www.ecy.wa.gov/pubs/1102031.pdf>.

For more information contact:

Publications Coordinator  
Air Quality Program  
P.O. Box 47600  
Olympia, WA 98504-7600

E-mail: [Tami.Dahlgren@ecy.wa.gov](mailto:Tami.Dahlgren@ecy.wa.gov)  
Phone: 360-407-6830

Washington State Department of Ecology - [www.ecy.wa.gov](http://www.ecy.wa.gov)

Headquarters, Olympia	360-407-6000
Northwest Regional Office, Bellevue	425-649-7000
Southwest Regional Office, Olympia	360-407-6300
Central Regional Office, Yakima	509-575-2490
Eastern Regional Office, Spokane	509-329-3400

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.*

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

# Table of Contents

Purpose.....	1
Introduction.....	1
Implementation and enforcement .....	2
Informing and educating persons affected by the rule.....	2
Promoting and assisting voluntary compliance .....	2
Evaluating the rule .....	3
Training and informing ecology staff .....	3
List of supporting documents that may need to be written or revised .....	3
More information .....	3
Contact information .....	3

*~This page is intentionally left blank.~*

# 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, and Chapter 173-401 WAC, Operating permit regulations, 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:

- 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.

<b>Permitting agency</b>	<b>Jurisdiction</b>
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. Ecology will send notice of this rule revision to those businesses and industries with CO<sub>2</sub> emissions from biogenic sources that we are aware of.

# Promoting and Assisting Voluntary Compliance

Ecology is taking this action to comply with regulatory action taken by Environmental Protection Agency on July 20, 2011. This action defers for a period of three years the application of the Prevention of Significant Deterioration (PSD) and Title V permitting requirements to biogenic carbon dioxide (CO<sub>2</sub>) emissions from bioenergy and other biogenic stationary sources. Stationary sources that combust biomass (or otherwise emit biogenic CO<sub>2</sub> emissions) and construct or modify during the deferral period will avoid the application of PSD to the biogenic CO<sub>2</sub> emissions resulting from those actions. This deferral applies

only to biogenic CO<sub>2</sub> emissions and does not affect non-greenhouse gas pollutants or other greenhouse gases. This deferral does not pertain to the greenhouse gas reporting program.

Biogenic sources of CO<sub>2</sub> emissions in Washington 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 apply.

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

## **Evaluating the Rule**

The proposed amendments to Chapter 173-400 WAC and Chapter 173-401 WAC will:

- Align the rule with EPA's current requirements for biogenic CO<sub>2</sub> emissions
- Support Ecology's request for delegation of the Prevention of Significant Deterioration (PSD) program.

Over the next three years, we will assess whether the rule meets these objectives and determine if adjustments are necessary.

## **Training and Informing Ecology Staff**

Many of the Ecology staff responsible for implementing this revised rule work directly with the affected industrial sources 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.

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

This amendment is minor. No documents need to be amended in response to these revisions.

## **More Information**

For more information on the Air Quality Program see:

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

For more information on Environmental Protection Agency's final rule on deferral for CO<sub>2</sub> emissions from bioenergy and other biogenic sources under the Prevention of Significant Deterioration (PSD) and Title V Programs see:

[www.gpo.gov/fdsys/pkg/FR-2011-07-20/pdf/2011-17256.pdf](http://www.gpo.gov/fdsys/pkg/FR-2011-07-20/pdf/2011-17256.pdf)

For more information on local clean air agencies see:

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

## Contact Information

Linda Whitcher  
Department of Ecology  
PO Box 47600  
Olympia WA 98504-7600  
360-407-6875  
[Linda.whitcher@ecy.wa.gov](mailto:Linda.whitcher@ecy.wa.gov)