

DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Response to Comments**

### **Kent, Seattle, and Tacoma Second 10-Year Limited Maintenance Plan for PM<sub>10</sub>**

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## Publication and Contact Information

This publication is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/SummaryPages/1302027.html>

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# **Response to Comments**

**Proposed Washington State  
Implementation Plan (SIP) Revision:  
Kent, Seattle, and Tacoma Second 10-Year  
Limited Maintenance Plan for PM<sub>10</sub>**

Air Quality Program  
Washington State Department of Ecology  
Olympia, Washington 98504-7600

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# Introduction

This Response to Comments provides information on the proposed revision of Washington's State Implementation Plan (SIP) by submitting an updated plan for three Puget Sound air quality maintenance areas: City of Kent, Tacoma Tidelands and Seattle-Duwamish. The purpose of a Response to Comments is to:

- Meet Environmental Protection Agency (EPA) public process requirements
- Provide reasons for updating the maintenance plans
- Describe any differences between the proposed and adopted plans
- Provide Ecology's response to public comments.

This document includes the comments received during the public comment period and public hearing on submitting *The Draft Kent, Seattle and Tacoma, Washington Second 10-year Limited Maintenance Plan for PM<sub>10</sub>* (LMP) along with Ecology's responses. Puget Sound Clean Air Agency (PSCAA) and Washington State Department of Ecology (Ecology) collaborated on the updated plan.

Ecology accepted comments from September 27, 2013 through November 4, 2013. On October 30, 2013, Ecology held a public hearing and took public comments on the proposed SIP submittal. This document also describes the outreach effort and public involvement process.

There are no differences between the proposed public review draft of the plan and the plan adopted by Ecology on November 26, 2013.

## Reasons for Updating the SIP

Washington is required by the federal Clean Air Act (CAA) to revise the SIP by submitting an updated maintenance plan for these three maintenance areas. The Kent, Seattle, and Tacoma PM<sub>10</sub> air quality areas were classified as nonattainment areas in 1990 by the Environmental Protection Agency (EPA) for the 24-hour PM<sub>10</sub> National Ambient Air Quality Standard (NAAQS). The nonattainment areas were reclassified to maintenance areas in 1993 and 1995. The Clean Air Act (CAA) requires two, consecutive 10-year maintenance plans for maintenance areas. The first 10-year maintenance plan for these three areas was submitted to the EPA in 1997. This Limited Maintenance Plan is the second and final 10-year maintenance plan required and fulfills the CAA requirement for these areas.

## Summary of Public Involvement Process

Ecology posted notice of the public comment period and hearing on its public involvement calendar and website. A legal notice was published in the Daily Journal of Commerce and a news release was issued September 30, 2013. Appendix C contains copies of the notices and other documents.

Ecology accepted public comments on the Kent, Seattle, and Tacoma Second 10-year Limited Maintenance Plan for PM<sub>10</sub> from September 27 through November 4, 2013. We held a public hearing on October 30, 2013 in Kent, Washington. This document contains the responses to all comments we received and documentation of the public involvement process.

Additionally, the Puget Sound Clean Air Agency reported on the efforts to update the PM<sub>10</sub> maintenance plans and upcoming public comment period to the following groups:

- [Puget Sound Clean Air Agency Advisory Council](#), briefed October 9, 2013.
- [Puget Sound Clean Air Agency Board of Directors](#): briefed in September 19 Executive Director's report and at Board of Director's meeting, September 26, 2013.
- Pierce County Clean Air Task Force, briefed on October 17, 2013, includes Washington Hearth Association's Gary Smith, Leah Hauer, Dan Henry, Kip Rumens, Debbie Hannig, and Ted Hossack. (also emailed separate public comment notice and report to Gary Smith and Leah Hauer of Hearth Association.)



# Appendix A: Response to Comments

## Commenter Index

The table below lists the names of organizations or individuals who submitted a comment on the SIP proposal and where you can find Ecology's response to the comment(s).

Document Location in Appendix D	Name	Location of Response
p. 8-14, public hearing testimony on p. 6-7	Sasha E. Slayton	p. 4
p. 8	Chris & Paul Axtman	p. 3

### Summary of Comments from Chris & Paul Axtman:

We hope you will consider researching and adding our area to future proposals for a permanent BURNING BAN to stop people from burning or using their fireplace (unless there is a power outage or that is there ONLY source of heat). We have a serious air quality in this *pocket* area below the surrounding hills.

### Ecology Response:

Thank you for your comments. Ecology is concerned you are experiencing discomfort in your home both in the winter and the summer. The Kent maintenance area is one of the three areas included in the Limited Maintenance Plan that is the subject of this action. The boundaries for the Kent PM<sub>10</sub> maintenance plan were set in the late 1980s, when the areas were identified as Group I areas – areas identified as having a 95 % chance of exceeding the 1987 particulate matter (ten microns or less) standard. Kent never actually exceeded this standard, but was designated nonattainment because of the risk. The northern nonattainment area boundary was determined based on the extent of the industrial portions of the area in the late 1980s.

Ecology does not have the legislative authority to permanently ban burning. However, Puget Sound Clean Air Agency (PSCAA) does call burn bans during periods of poor air quality. You can find more information in [PSCAA regulation 1-13, Solid Fuel Burning Device Standards](#) and the proposed updates to [Chapter 173-433 of the Washington Administrative Codes, Solid Fuel Burning Devices](#).

We shared your comment with Puget Sound Clean Air Agency.

We did not make any changes to the second Kent, Seattle, and Tacoma 10-year limited maintenance plan.

### Summary of Comments from Sasha E. Slayton:

- . As background, The *Seattle Times* Sept 11 – 13, 2013 series on sea change, by Craig Welch, with Steve Ringman's photographs demonstrates that
  - a. the changes are real,
  - b. their impact on pacific northwest fishing profound *and* that

- c. these changes are happening much sooner than predicted.
2. The **Coal, China, and Pollution** article shows
  - a. Asia's (especially China's) coal, hydrocarbon and carbon pollution are increasing exponentially
  - b. About 1/3<sup>rd</sup> of Asian pollution is dust, from drought and deforestation
  - c. This is our problem because pollutants from China reach the U.S. West Coast. Asia's pollutants now represent up to 25% of the US west coast pollution.
  - d. This applies to Washington State because regulatory agencies offset foreign pollution with additional controls on local air quality districts (42U.S.C. § 7407(a)) Section 17981.
  - e. This applies to Washington State because regulatory agencies require us to offset foreign pollution with additional controls on local air quality districts (42U.S.C. § 7407(a)) Section 17981.
3. I believe each of the monitoring sites identified in the plan are at low altitude levels; at or near sea level. I believe this can significantly skew the resulting data.  
I request the group consider locating some or all monitoring sites at a variety of higher elevations.

I know that considering non-use of coal is beyond the purview of this committee, but I would like to request the group to attend to the importance of the pollution that we get from the coal from other countries.

#### **Ecology Response:**

Thank you for your comments. Pollution from Asia is outside the scope of this plan. The emission inventory showed that for Kent, residential wood stoves are the largest source of emissions in the winter.

International emissions are included in emissions inventories as background emissions. We consider the emissions inventory when developing control strategies for a plan. Additionally, Ecology does have monitoring stations at a few higher elevation locations. The monitoring site at Cheeka Peak is located at 1200 ft in Neah Bay, WA. This location provides background levels of air pollution including particulate matter. We also have a monitoring site at Mt. Rainier at 5000 ft that measures ozone levels.

Additionally, Ecology has access to the monitoring data from a site at Mt. Bachelor in Oregon run by the University of Washington. This monitoring site is at 9000 ft. It measures levels of carbon monoxide, carbon dioxide, ozone, mercury and aerosols. One of the main focuses of the research work related to this monitoring site is measuring the air pollution influence from Asia. You can find additional information at <http://www.atmos.washington.edu/jaffegroup/>.

Ecology shared your comments with the Puget Sound Clean Air Agency.

We did not make any changes to the second Kent, Seattle, and Tacoma 10-year limited maintenance plan.

## Appendix B: Transcripts from public hearings.

### Public Hearing in the Mill Creek Room at the Kent Commons in Kent, Washington, October 30, 2013

MELANIE: I'm Melanie Forster, hearings officer for this hearing. This evening we are to conduct a hearing on the proposed update to the state implementation plan, or "SIP," for Seattle, Kent, and Tacoma PM-10 maintenance areas. Let the records show it's 7:11 PM on October 30, 2013 and this hearing is being held at the Kent Commons in the Mill Creek Room 525 4<sup>th</sup> Avenue North, Kent, Washington 98032. Notices of the hearing were sent by e-mail to a list of fifty interested people and a news release was issued on September 30, 2013. Notices also published in the Daily Journal of Commerce, September 27, 2013 and on Ecology's online public involvement calendar. I'll be calling people up to provide testimonies based on the order that your name appears on the sign-in sheet. And it looks like we're going to start with Sasha Slaton.

SASHA: Do I need to come up there?

MELANIE: It would be better because you'll be closer to the recorder. So, please step up to the front, state your name and address for the record, and speak clearly so that we can get a good recording of your testimony.

SASHA: My name is Sasha Slaton. I live at 10521 SE 232<sup>nd</sup> Place in Kent, 98031-3351. I want to thank the group for the time and the effort and the presentation today and for watching our air. I want to say that we live on one planet and that the influences aren't just from local industry or local action. We have increased pollutants in our air and now studies are showing that the pollutants from China and other Asian areas are reaching our country. Two weeks ago in Harbin, China – a city of 11 million people – they were asked to stay home from work and school, because they could not see and they could not breathe and China is building one new power plant every week, fired by coal – dirtier and dirtier coal. And not regulating the releases into our atmosphere. I will be submitting a copy of the study showing that up to 25 percent of those pollutants have been found in the air in the west coast of the United States. Now about one-third of these pollutants, Asian pollutants, are dust from drought and deforestation. These things apply to Washington State because regulatory agencies offset foreign pollution with additional controls on the local air quality districts, as in United States code 45, section 7407 (A section 17981) requiring us to take action when we get those pollutants. Since we live on one planet, we are going to have to make adjustments. I know that considering non-use of coal is beyond the permute of this committee, but I would the group to attend the importance of the pollution that we get from the coal from other countries. Thank you very much.

MELANIE: Thank you. So, if you would also like to send ecology written comments, please remember that they are due by November 4<sup>th</sup>, 2013. You may send them to Laurie Hulse-Moyer, P.O. Box 47600, Olympia, Washington 98504-7600, or you may e-mail comments to [aqcomments@ecy.wa.gov](mailto:aqcomments@ecy.wa.gov). You may also fax comments to 360-407-7534. All testimony received at this hearing, along with all written comments postmarked or received no later than November 4<sup>th</sup>, 2013, will be part of the official hearing record for this proposal. Ecology will send notice about the response to comments to everyone that provided written comments or oral testimony on this proposed SIP revision and submitted contact information. Everyone that signed in for today's hearing that provided an e-mail address and other interested parties on the agency's mailing lists for this proposed SIP revision. The response to comments will, among other things, contain the agency's response to questions and issues of concern that were submitted during the public

comment period. If you would like receive a copy, but did not give us your contact information, please let one of the staff at this hearing know, or contact Laurie Hulse-Moyer of the contact information provided for submitting comments.

The next step is to review the comments and make a determination whether to submit the proposed SIP revision to EPA. The response to comments will be posted on Ecology's website. Ecology director, Maia Bellon, will consider the SIPS submittal documentation and staff recommendations and will make a decision about adopting the SIP revision. Ecology will submit the proposed SIP revision to EPA after adoption. EPA will then accept public comments before making a decision to approve the SIP revision. If we can be of further help to you, please do not hesitate to ask or you can contact Laurie Hulse-Moyer if you have other questions. On behalf of the Department of Ecology and Puget Sound Clean Air Agency, thank you for coming. I appreciate your cooperation and courtesy. Let the records show that this hearing is adjourned at 7:16 PM.

# Appendix C: Copies of all written comments

Comments from Chris & Paul Axtman – Received at AQComments@ecy.wa.gov on November 1, 2013:

11/01/13

Dear Laurie Hulse-Moyer,

We are writing in response to the clean air maintenance plan proposal. If I read it correctly, it appears to miss our Kent neighborhood around 42nd S & 262nd St (Kent, 98032) which is located south of Kent-Des Moines Rd (516), not north. The area I'm talking about is surrounded by hills on all sides. When people are burning or even smoking, the smell seeps into our house. When it's foggy, it's foggy here all day, though many days sunshine can be seen if you walk to the top of the hill near Star Lake Elementary School or go a short distance to I-5.

We have double pane energy efficient windows and we run several air filtering systems in our house. During the winter months, the smell is overwhelming causing headaches and allergies. We have also experienced problems during the summer - some people burn even when it's 80-90 degrees outside. Without air conditioning or opening our windows, we feel like a prisoner in our own home. Apparently fire pits are legal during burning bans since we have never seen the fire department issue a citation. We have reached out to PSE to schedule a Homeprint Assessment in order to determine if there are any additional improvements we can make to our house to reduce indoor air pollution. But as new retirees, we would also enjoy being able to walk around the neighborhood and take in "clean fresh air."

We hope you will consider researching and adding our area to future proposals for a permanent BURNING BAN to stop people from burning or using their fireplace (unless there is a power outage or that is there ONLY source of heat). We have a serious air quality in this *pocket* area below the surrounding hills.

Please feel to contact us with any questions, or instructions on how we can get our area in future proposals.

Sincerely,

Chris & Paul Axtman  
[mis65vette@comcast.net](mailto:mis65vette@comcast.net)  
(253) 852-6520  
4222 S 262nd St  
Kent, WA 98032

## 1. Comments from Sasha Slayton - 10521 SE 232<sup>nd</sup> Place. Kent. WA 98031

Received by email November 5, 2013

**From:** Sasha [<mailto:hopogunche@comcast.net>]  
**Sent:** Tuesday, November 05, 2013 7:54 AM  
**To:** Hulse-Moyer, Laurie (ECY)  
**Subject:** public commrnt

Dear Ms. Hulse Moyer,

I appreciated meeting you at the hearing site in Kent this week, and the opportunity to comment. I learned a great deal. I have attached the articles with the documentation I mentioned.

## Summary

1. As background, The *Seattle Times* Sept 11 – 13, 2013 series on sea change, by Craig Welch, with Steve Ringman's photographs demonstrates that
  - a. the changes are real,
  - b. their impact on pacific northwest fishing profound *and* that
  - c. these changes are happening much sooner than predicted.
2. The **Coal, China, and Pollution** article shows
  - a. Asia's (especially China's) coal, hydrocarbon and carbon pollution are increasing exponentially
  - b. About 1/3<sup>rd</sup> of Asian pollution is dust, from drought and deforestation
  - c. This is our problem because pollutants from China reach the U.S. West Coast. Asia's pollutants now represent up to 25% of the US west coast pollution.
  - d. This applies to Washington State because regulatory agencies offset foreign pollution with additional controls on local air quality districts (42U.S.C. § 7407(a)) Section 17981.
  - e. This applies to Washington State because regulatory agencies require us to offset foreign pollution with additional controls on local air quality districts (42U.S.C. § 7407(a)) Section 17981.
3. I believe each of the monitoring sites identified in the plan are at low altitude levels; at or near sea level. I believe this can significantly skew the resulting data.  
I request the group consider locating some or all monitoring sites at a variety of higher elevations.

## Discussion

The *Seattle Times* Sept 11 – 13, 2013 series Sea Change is the result of months of research by [photographer Steve Ringman and reporter Craig Welch](#), who traveled from Dutch Harbor, Alaska, in the North Pacific to Papua New Guinea in the South Pacific to detail what is at stake as ocean chemistry changes.

Nearly every important peer-reviewed study available — hundreds in all — was examined for the project. About 150 people in the United States and around the world were interviewed, while scientists in a half-dozen countries were coaxed into sharing early glimpses of pending research to make sure readers received the most up-to-date work in the proper context. Welch and Ringman visited hatcheries, research labs and fish-processing plants in four states.

When the pair first approached Katharina Fabricius of the Australian Institute of Marine Science about tagging along on an expedition to Papua New Guinea's carbon-dioxide vents, she was skeptical. Malaria rates were so high in the region that some of the dive boat's crew was sick. The waters off Normanby and Dobu islands are frequented by tiger sharks and saltwater crocodiles, and are hundreds of miles from medical facilities. And neither Ringman nor Welch had ever been diving.

I had to break it up into four parts to get it to load onto e-mail. The attachments are all in Microsoft word. Here is the source. <http://apps.seattletimes.com/reports/sea-change/2013/sep/11/pacific-ocean-perilous-turn-overview/>

April 18, 2012 **Coal, China, and Pollution** *Air pollution in China is a global problem, because of climate change, and ...(our)... problem, because pollutants from China reach the U.S. West Coast.* source : [Energy](#) | [Pollution & Health](#)

The BAAQMD and other air regulatory authorities are actually offsetting these foreign pollution impacts by placing additional controls on local sources. The ultimate responsibility to address foreign pollution rests with the States and local air quality districts—as absurd as this might sound.

The Clean Air Act provides the following:“Each State shall have the primary responsibility for assuring air quality within the entire geographic area comprising such state by submitting an implementation plan for such State which will specify the manner in which national primary and secondary ambient air quality standards will be achieved and maintained . . .” (42 U.S.C. § 7407(a)). Section 179B

Thank you for your kind attention.

Sasha E. Slayton  
10521 SE 232<sup>nd</sup> Place. Kent. WA 98031=3351  
2538562598

\Addendum: After multiple attempts,I have been unable to attach these documents to this e mail. Regrettably, I shall have to send them by snail mail.

**Comments from Sasha Slayton, continued – Received by email November 5, 2013**

I noticed one of my ref's was incomplete. This is the correct citation for the scientific article I want to include.

<http://legal-planet.org/2012/04/18/coal-china-and-pollution/> Tghe following is from comments on that article.

[bikeopeli](#) April 18, 2012 at 8:11 am #

How does the BAAQMD mitigate this pollution from their emissions inventory?

[Reply](#)

•

[Dan Farber](#) April 18, 2012 at 11:12 am #

bikeopeli – Your questions raises some interesting legal issues. Under section 179B(a) of the Clean Air Act, states can get approval for their implementation plans if failure to meet national air quality standards is caused by incoming international pollution. But there are two interesting wrinkles. First, the section is called “international border areas,” although none of the actual statutory text limits it to border areas. Usually, titles don’t modify statutory meaning, but there might be some argument to the contrary. Second, subsections (b), (c), and (d) exempt such areas from nonattainment for ozone, carbon monoxide, and PM-10. But PM-10 is much less of a concern these days than PM-2.5, and 179B doesn’t say anything about that (or about other pollutants that might drift here). I’d be interested in hearing from a CAA expert about how this provision is actually applied by EPA.

[sipreform](#) May 9, 2012 at 7:52 am #

My name is Jed Anderson and I am attorney and Adjunct Professor of Law at the University of Houston Law School where I teach the Clean Air Act class. The BAAQMD and other air regulatory authorities are actually offsetting these foreign pollution impacts by placing additional controls on local sources. The ultimate responsibility for addressing foreign pollution rests with the States and local air quality districts—as absurd as this might sound. The Clean Air Act provides the following: “Each State shall have the primary responsibility for assuring air quality within the entire geographic area comprising such state by submitting an implementation plan for such State which will specify the manner in which national primary and secondary ambient air quality standards will be achieved and maintained . . .” (42 U.S.C. § 7407(a)). Section 179B can potentially be used, but its generally not being used. I’ve been working for some time to raise awareness of this problem (see <http://www.sipreform.com> and <http://www.sipreform.wordpress.com>). Forty years ago when the Clean Air Act was written emissions from other countries was small and the phenomena of intercontinental transport had yet to have been fully discovered. The world has since changed. Our



understanding has since changed. It's now time for the Clean Air Act, and specifically the SIP process, to be transformed to reflect the new realities of our world. Thanks for writing about this issue and helping to spread further light on it.

[Reply](#)

•

[Dan Farber](#) May 9, 2012 at 8:37 am #

Jed—thanks for the additional information on this issue.  
thank you

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**From:** "Laurie Hulse-Moyer (ECY)" <[lahu461@ECY.WA.GOV](mailto:lahu461@ECY.WA.GOV)>  
**To:** "Sasha" <[hopogunche@comcast.net](mailto:hopogunche@comcast.net)>  
**Cc:** "ECY RE AQComments" <[AQComments@ECY.WA.GOV](mailto:AQComments@ECY.WA.GOV)>  
**Sent:** Tuesday, November 5, 2013 9:13:46 AM  
**Subject:** RE: public commrnt

Thanks, Sasha. It was nice to meet you too. We'll be reviewing this information and including it in our Response to Comments document that becomes part of the formal record and is sent to EPA. We'll send you a copy when its ready. We think it will be ready by the end of the month. Thanks, again.

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*Laurie Hulse-Moyer / Air Quality Planner / WA State Department of Ecology / [lahu461@ecy.wa.gov](mailto:lahu461@ecy.wa.gov) / (360) 407-6783*

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- a. Asia's (especially China's) coal, hydrocarbon and carbon pollution are increasing exponentially
  - b. About 1/3<sup>rd</sup> of Asian pollution is dust, from drought and deforestation
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## Discussion

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The Clean Air Act provides the following:“Each State shall have the primary responsibility for assuring air quality within the entire geographic area comprising such state by submitting an implementation plan for such State which will specify the manner in which national primary and secondary ambient air quality standards will be achieved and maintained . . .” (42 U.S.C. § 7407(a)). Section 179B

Thank you for your kind attention.

Sasha E. Slayton  
10521 SE 232<sup>nd</sup> Place. Kent. WA 98031=3351  
2538562598

\Addendum: After multiple attempts,I have been unable to attach these documents to this e mail. Regrettably, I shall have to send them by snail mail.

*As of November 18, 2013, no mailed comments received -*

# Appendix D: Certification of public hearing.

## DEPARTMENT OF ECOLOGY

### HEARING SUMMARY

### MEMORANDUM

October 31, 2013

**TO:** Maia Bellon  
Director

**FROM:** Melanie Forster  
Hearings Officer

**SUBJECT:** Public Hearing Summary for the Proposed Update to the State Implementation Plan (SIP) for Seattle, Kent, and Tacoma PM<sub>10</sub> Maintenance Areas held on October 30, 2013

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**Topic:** Limited Maintenance Plan for particulate matter 10 microns in diameter and smaller (PM<sub>10</sub>) for three Maintenance Areas in the Puget Sound area

**Program name:** Air Quality

**Name(s) of Ecology employee(s) at hearing:** Laurie Hulse-Moyer and Nancy Pritchett. Sara Harrold, an Air Resource Specialist at Puget Sound Clean Air Agency also gave a presentation at the hearing.

**Hearing location(s):** Kent Commons, 525 4<sup>th</sup> Avenue N, Kent, WA 98032

**Total number of people at hearing(s):** 1

**Total number of testimonies:** 1

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**Summary of Comments:**

*A concerned citizen wants Ecology and Puget Sound Clean Air Agency to consider overseas sources of particulates and other pollutants, especially with the increased reliance on coal-fired power plants in Asia. She cited a law in the U.S. code that states regulatory agencies must use local controls to offset pollutants from foreign sources. She also plans to submit written comments with citations before the close of the comment period on November 4, 2013. She agrees with Ecology's and Puget Sound Clean Air Agency's plan to include this update in Washington's State Implementation Plan.*

cc: Polly Zehm  
Stuart Clark  
Bari Schreiner  
Laurie Hulse-Moyer  
Julie Oliver

## Appendix E: Ecology public involvement notices

### *Public Notices and Outreach Documents*

- Affidavit of Publication, *The Daily Journal of Commerce*, Notice of Hearing and Opportunity to Comment, published September 27, 2013
- Public Involvement Calendar notice, September 17, 2013
- Department of Ecology Maintenance SIP webpage
- News Release, Comments sought on updated clean air maintenance plans for areas in Kent, Seattle and Tacoma, September 30, 2013.
- Frequently Asked Questions, State Implementation Plan (SIP) Revision: Seattle, Kent and Tacoma PM<sub>10</sub> Maintenance Areas, September 2013, Publication Number: 13-02-017
- Public Hearing Notice, Proposed Update to the State Implementation Plan (SIP): Seattle, Kent, and Tacoma PM<sub>10</sub> Maintenance Areas, September 2013, Publication Number: 13-02-018

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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302792  
DEPT OF ECOLOGY-SWRO

No.

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a


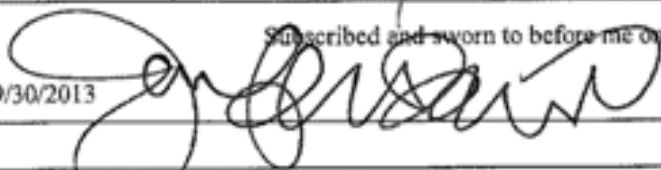
PN:NOTICE HEARING & OPPTY

was published on

09/27/13

The amount of the fee charged for the foregoing publication is the sum of \$178.50 which amount has been paid in full.



  
\_\_\_\_\_  
Subscribed and sworn to before me on  
09/30/2013   
\_\_\_\_\_  
Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## State of Washington

### Notice of Hearing and Opportunity to Comment

The Department of Ecology (Ecology) is seeking comments on our proposal to submit the updated maintenance plan for three Puget Sound maintenance areas to the United States Environmental Protection Agency (EPA) to revise the Washington State Implementation Plan (SIP). These areas are existing air quality maintenance areas called the Seattle-Duwamish, Kent Valley and Tacoma Tidelands. No new rules or requirements are being proposed.

These three areas meet the federal 1987 24-hour standard for particulate matter ten microns or less (PM10) and have for over twenty years. But, in the 1980s, these areas were classified as "nonattainment" areas because they were either very close to or violated the standard. Once the areas showed they met the standard, EPA reclassified them to maintenance areas. The Clean Air Act (CAA) requires that maintenance areas have plans that ensure they will continue to meet the standard. EPA approved the first maintenance plan in 2001. Since these areas show little risk of violating this standard, they qualify for a streamlined maintenance plan, called a Limited Maintenance Plan. This maintenance plan covers through 2020. The CAA requires Ecology to revise Washington State's SIP to include this second and final maintenance plan.

This SIP revision will:

- Meet the requirement for a second 10-year plan
- Maintain the control strategies that help the areas continue to meet the standard
- Fulfill the final maintenance planning requirements of the CAA for these areas

The proposed SIP revision and related documents are available for review on Ecology's website at: <http://www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm>

Formal Comment Period:  
September 27, 2013 through  
November 4, 2013

Public Hearing: October 30,  
2013, 6:30 pm

Kent Commons, Mill Creek  
Room 525 4th Ave N, Kent, WA  
98032

How to submit comments:  
• Testify at the public hearing  
• Email to [AQComments@ecy.wa.gov](mailto:AQComments@ecy.wa.gov)

• Mail to Laurie Hulse-Moyer  
Air Quality Program  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

For more information contact  
Laurie Hulse-Moyer at: 360-407-  
6783 [Laurie.hulse-moyer@ecy.wa.gov](mailto:Laurie.hulse-moyer@ecy.wa.gov)

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9/27(302792)



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

<http://www.ecy.wa.gov>

## Public Involvement Calendar

The Public Involvement Calendar is designed to engage the public in our **decision-making process**. We encourage you to read [Frequently Asked Questions about Effective Public Commenting](#).

Activities that are educational only or are co-sponsored by Ecology may be found under the "More Ecology Events" link in the left column of this page. We invite your [feedback](#) about this Public Involvement Calendar.

If you have special accommodation needs or require documents in alternative format, please contact Ecology at:

- 360-407-6000 (voice)
- 711 (relay service)
- 800-833-6388 (TTY)

### Public Hearings, Meetings, Workshops, Open Houses

**Oct 30      6:30 PM      Public Hearing: Kent Updated Air Quality Plan**  
 Ecology proposes to submit the updated air quality plan for three Puget Sound maintenance areas to EPA. The purpose of these updates is to revise the Washington State Implementation Plan (SIP). The three maintenance areas are the Seattle-Duwamish, Kent Valley, and Tacoma Tideflats. No new rules or requirements are being proposed. All three areas met the standard by 1990 and continue to meet the standard today. [Maintenance SIPs](#)

**Location:** Kent Commons / Mill Creek Room  
 525 Fourth Avenue N  
 Kent, WA [Map](#)

**Sponsor:** Dept of Ecology  
 AIR QUALITY PM

**Contact:** Laurie Hulse-Moyer  
 (360) 407-6783 / [laurie.hulse-moyer@ecy.wa.gov](mailto:laurie.hulse-moyer@ecy.wa.gov)

**Associated Public Comment Period:** Sep 27 - Nov 4

### Public Comment Periods

**Sep 27 - Nov 4      Public Comment Period: Updated Air Quality Plan**  
 Ecology proposes to submit the updated air quality plan for three Puget Sound maintenance areas to EPA. The purpose of these updates is to revise the Washington State Implementation Plan (SIP). The three maintenance areas are the Seattle-Duwamish, Kent Valley, and Tacoma Tideflats. No new rules or requirements are being proposed. All three areas met the standard by 1990 and continue to meet the standard today. [Maintenance SIPs](#)

**Sponsor:** Dept of Ecology  
 AIR QUALITY PM

**Contact:** Laurie Hulse-Moyer  
 (360) 407-6783 / [laurie.hulse-moyer@ecy.wa.gov](mailto:laurie.hulse-moyer@ecy.wa.gov)

**Associated Public Hearing:** Oct 30

### Search Calendar

This search feature accesses only **decision-making events**.

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## Air Quality

[Air Quality](#) > Air Quality Standards & Plans > SIPs > Maintenance SIPs

### Maintenance SIPs

Once a nonattainment area has attained and maintained the National Ambient Air Quality Standards (NAAQS), Washington may request redesignation to attainment. For the area to be redesignated, the state has to develop a Maintenance State Implementation Plan (SIP) for EPA's approval. The plan ensures the area will continue to meet the NAAQS for a 20-year period. The initial 10-year plan is reviewed and revised to cover a second 10-year period.

#### Proposed Maintenance SIP revisions

SIP Title	Other Information
<p><i>Draft Proposed SIP Revision for a Second 10-Year Particulate Matter (PM<sub>10</sub>) Maintenance Plan for three Puget Sound areas. <b>NEW!</b></i></p> <ul style="list-style-type: none"> <li>• <a href="#">Hearing Notice</a></li> <li>• <a href="#">Frequently Asked Questions</a></li> <li>• <a href="#">Seattle, Kent, and Tacoma Limited Maintenance Plan for PM<sub>10</sub></a></li> </ul>	<p>The Puget Sound Clean Air Agency is developing a maintenance SIP for three areas: the Tacoma Tideflats, Kent Valley and Seattle-Duwamish areas. Since 1990, all three maintenance areas have met the PM<sub>10</sub> standard. EPA already approved their first 10-year plan. This second plan will show how the areas will continue to meet the NAAQS through 2020.</p> <p>Contact <a href="#">Laurie Hulse-Moyer</a> at 360-407-6783.</p>
<p><a href="#">SIP Revision for the Thurston County Second 10-year Limited Maintenance Plan for Particulate Matter (PM<sub>10</sub>)</a>.</p>	<p>The comment period ran April 22 to May 31. No hearing was requested; no comments were received. Ecology submitted the plan to EPA on July 1, 2013. EPA accepted comments through September 4, 2013 ( <a href="#">78 FR 47259</a>). Final approval is still to come.</p> <p><a href="#">Frequently Asked Questions</a></p> <p>Contact <a href="#">Laurie Hulse-Moyer</a> at 360-407-6783.</p>

#### Maintenance SIP Contents

The specific content of each SIP varies depending on the Federal requirements and existing State regulations. In general, a maintenance plan covers the following:

- Current, comprehensive, and accurate inventories of emissions from all sources.
- A control strategy to maintain the NAAQS.
- Supporting statutes and regulations.
- Other means or programs contributing to maintenance of the NAAQS.
- Air quality analyses that demonstrate that adequate controls are in place to ensure the area will maintain the NAAQS.
- Contingency measures that will be implemented if an area fails to maintain the NAAQS.

Development and approval of a Maintenance SIP follows the same steps as development and approval of an Attainment SIP. See the [Attainment SIP](#) web page.

#### Información en Español

Kent y las áreas industriales de Seattle y Tacoma necesitan revisiones rutinas para sus planes de calidad de aire. Esas revisiones demuestran que las áreas todavía cumplen con las normas federales para la calidad de aire. Ecología invita comentarios públicos sobre las revisiones propuestas desde el 27 de septiembre al 4 de noviembre. Para más información en español, favor de contactar a Richelle Perez por teléfono a (360) 407-7528 o por correo electrónico a [preguntas.wa.gov](mailto:preguntas.wa.gov).

[Contact Us/a>](#)

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## News Release- September 30, 2013



[Ecology home](#) > [News](#) > News Release

### Washington State Department of Ecology - September 30, 2013

13-244

## Comments sought on updated clean air maintenance plans for areas in Kent, Seattle and Tacoma

OLYMPIA – Kent and parts of Seattle and Tacoma, formerly listed as air-quality problem areas, would continue to meet a clean-air standard for airborne particles at least through 2020, under a proposed plan drawn by state and local agencies.

The Washington Department of Ecology (Ecology) seeks public comment on the proposal, called a [maintenance plan](#). The Puget Sound Clean Air Agency (PSCAA), the Puget Sound Regional Council (PSRC) and Ecology worked together to draft the plan. Ecology will submit it for review by the U.S. Environmental Protection Agency (EPA) later this year.

From 1987 until the mid-1990s, EPA had listed Kent, Seattle's Duwamish Valley and the Tacoma Tideflats as "[non-attainment](#)" areas for an air pollutant called PM-10 – airborne particles less than 10 microns in diameter. There are 1,000 microns in a millimeter.

All three areas have met state and federal PM-10 standards for more than 20 years.

EPA reclassified the three areas as [maintenance areas](#), based on Ecology applications that documented efforts to improve air quality and plans to maintain it. Federal rules require two updates of maintenance area air-quality plans. Ecology submitted the first maintenance plan in 1997. The currently proposed update is the second and final plan required.

The Tacoma Tideflats PM-10 maintenance area is located within the Tacoma-Pierce County PM-2.5 [non-attainment area](#), established by EPA in 2009 for airborne particles less than 2.5 microns in diameter. The non-attainment area includes Tacoma's industrial district and several nearby residential neighborhoods. Wood smoke from home heating contributes most to the non-attainment area's PM-2.5 pollution.

The tiny particles can cause lung damage. They pose a risk especially to young children, pregnant women, the elderly and people with chronic heart and lung illnesses.

Ecology seeks public comment on the proposed plan through Nov. 4, 2013. Comments may be sent to:

- Email: [AQComments@ecy.wa.gov](mailto:AQComments@ecy.wa.gov)
- Letters: Department of Ecology; PO Box 47600; Olympia, WA 98504-7600; ATTN: Laurie Hulse-Moyer

Ecology also will conduct a public hearing on the proposed plan on Oct. 30, 2013 at 6:30 p.m. at Kent Commons, Mill Creek Room, at 525 Fourth Ave. N. in Kent.

The proposed plan is available at [www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm](http://www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm).

For the Seattle and Tacoma maintenance areas, PM-10 emission reductions have come primarily from industrial facilities. The ports of Seattle and Tacoma also reduced emissions from their diesel equipment through a number of voluntary programs. In the Kent area, reductions in winter wood smoke led to lower PM-10 levels.

The updated plan lists control strategies that help the area continue to meet the standard, such as industrial emissions controls, dust controls, cleaner wood stoves, and wood smoke burn bans when needed in winter. Other emission reductions that have contributed to cleaner air include Ecology's motor vehicle Emission Check program and federal standards for lower sulfur in diesel fuel, and tighter standards for new diesel vehicles.

# # #

**Media Contacts:**

Larry Altose, Ecology media relations, 425-649-7009, [larry.altose@ecy.wa.gov](mailto:larry.altose@ecy.wa.gov)  
Laurie Hulse-Moyer, Ecology air quality planner, 360-407-6783, [laurie.hulse-moyer@ecy.wa.gov](mailto:laurie.hulse-moyer@ecy.wa.gov)  
Kathy Strange, Puget Sound Clean Air agency manager for technical analysis, 206-689-4095, [kathyw@psccleanir.org](mailto:kathyw@psccleanir.org)

**More information:**

[Air quality maintenance areas](http://www.ecy.wa.gov/programs/air/sips/designations/maintenance_areas.htm)  
([www.ecy.wa.gov/programs/air/sips/designations/maintenance\\_areas.htm](http://www.ecy.wa.gov/programs/air/sips/designations/maintenance_areas.htm))

[Air quality non-attainment areas](http://www.ecy.wa.gov/programs/air/sips/designations/nonattainment_areas.htm)  
([www.ecy.wa.gov/programs/air/sips/designations/nonattainment\\_areas.htm](http://www.ecy.wa.gov/programs/air/sips/designations/nonattainment_areas.htm))

[Air-quality maintenance area plans](http://www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm): ([www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm](http://www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm))

[Tacoma-Pierce County PM-2.5 non-attainment area](http://www.airsafepiercecounty.org/): ([www.airsafepiercecounty.org/](http://www.airsafepiercecounty.org/))

[Ecology's social media](http://www.ecy.wa.gov/about/newmedia.html) ([www.ecy.wa.gov/about/newmedia.html](http://www.ecy.wa.gov/about/newmedia.html))

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## State Implementation Plan (SIP) Revision: Seattle, Kent and Tacoma PM<sub>10</sub> Maintenance Areas

In the late 1980s, the federal Environmental Protection Agency (EPA) classified Kent and the mostly industrial areas of Seattle and Tacoma as “nonattainment” areas. This was because they were either at risk for or violated the federal health-based air quality standard for particulate matter ten microns or less in size (PM<sub>10</sub>). The Puget Sound Clean Air Agency and Washington State Department of Ecology (Ecology) had to write a SIP, which is a plan to get pollution under control.

In the early 1990s, the areas met the standard and EPA reclassified them to “maintenance” areas. EPA approved the first maintenance plan in 2001. A maintenance plan shows how an area will continue to meet air quality standards for the next 10 years. Ecology must now oversee progress and submit a maintenance plan update showing how the areas will continue to meet the PM<sub>10</sub> standard through 2020.

### **Q: What is PM<sub>10</sub> and why is it a problem?**

**A:** PM<sub>10</sub> is particles of soot, dust, and smoke that are 10 microns in size or smaller. Major sources include smoke from wood stoves, fireplaces, and outdoor burning. Windblown dust can also be a source. These particles can cause or worsen respiratory problems, especially for children and the elderly.

### **Q: What areas does this SIP revision affect?**

**A:** The maintenance areas this SIP revision addresses are:

- Seattle PM<sub>10</sub> Maintenance Area: An industrial area near the Duwamish River near Georgetown and South Park neighborhoods, including the Port of Seattle.
- Kent PM<sub>10</sub> Maintenance Area: An area in the Green River Valley with commercial and industrial sources as well as some neighborhoods with wood stoves, including the City of Kent between Highway 516 and South 212<sup>th</sup> Street.
- Tacoma PM<sub>10</sub> Maintenance Area: The mostly industrial Tideflats area between Commencement Bay and Interstate 5, including the Port of Tacoma. This area is not the same as the Tacoma-Pierce county PM<sub>2.5</sub> nonattainment area.

These areas have been in attainment of the standard since 1989, 1987, and 1990, respectively.

### WHY IT MATTERS

Particulate matter air pollution can have serious health effects, especially for children and elderly people. Some effects include:

- Increased risk of heart and lung diseases such as asthma, emphysema, pneumonia, and bronchitis; or worsening of existing conditions
- Risk of heart attack and stroke

### Contact information:

Laurie Hulse-Moyer  
360-407-6783  
[lahu461@ecy.wa.gov](mailto:lahu461@ecy.wa.gov)

### Special accommodations:

For special accommodations or documents in alternate format, call 360-407-6800, 711 (relay service), or 877-833-6341 (TTY).

**Q: Why is Ecology revising the SIP?**

**A:** Ecology must revise the SIP to meet a federal requirement. Ecology must submit a plan that shows how the Seattle, Kent, and Tacoma PM<sub>10</sub> Maintenance Areas will continue to meet this federal particulate matter standard. This SIP is one of the actions clean air agencies are taking to ensure neighborhoods are safe, healthy places to live and work. This SIP revision will be the final 10-year plan. It will assure compliance with the standard until 2020.

**Q: Does the SIP revision contain any new requirements?**

**A:** No. Current measures are sufficient to ensure the maintenance areas continue to meet the federal standard for PM<sub>10</sub>. These include:

- Fugitive dust control
- Wood smoke reductions
- Outdoor burning restrictions
- Industrial emission controls

Measures to control diesel particulate pollution also help these maintenance areas continue to meet the standard. These measures are:

- A diesel inspection and maintenance program
- Lower sulfur content in fuel
- Stricter standards for new diesel vehicles

**Q: What are the sources of PM<sub>10</sub>?**

**A:** Sources of particulate matter in these areas include residential wood smoke, industry, dust, and motor vehicles. The Seattle and Tacoma maintenance areas have mostly industrial sources. The Kent maintenance area has a mix of commercial and industrial sources, but wood smoke contributes the most to particulate pollution there.

**Q: Does this SIP address the Tacoma-Pierce County nonattainment area?**

**A:** No. The Tacoma-Pierce County nonattainment area is a different area and failed to meet a different particulate matter standard (the standard for PM<sub>2.5</sub> rather than PM<sub>10</sub>). The Tacoma PM<sub>10</sub> maintenance area *lies within* the Tacoma-Pierce County PM<sub>2.5</sub> nonattainment area; however, the PM<sub>10</sub> maintenance area is smaller and contains mostly industrial sources while the larger PM<sub>2.5</sub> nonattainment area is mainly affected by wood smoke from home heating. Get more information at [Clean Air Pierce County's website](#).

**Q: How is PM<sub>10</sub> different from PM<sub>2.5</sub>?**

**A:** PM<sub>2.5</sub> particles are 2.5 microns in diameter and smaller. PM<sub>10</sub> (sometimes called coarse particle pollution) contains all particles smaller than 10 microns in diameter and includes PM<sub>2.5</sub>. Due to their smaller size, PM<sub>2.5</sub> particles penetrate deeper into our lungs where they can cause respiratory and cardiovascular diseases. Recent research indicates that it is the fine particles that cause more adverse health effects.



**Q: Is coarse particle pollution still a problem?**

**A:** Although coarse particle pollution can still cause health effects at certain levels, all three maintenance areas continue to meet the federal health-based standard for PM<sub>10</sub>. PM<sub>10</sub> pollution in the Seattle and Tacoma areas has decreased significantly, largely as a result of reduced emissions from industrial facilities. Some industrial facilities that contributed to PM<sub>10</sub> pollution no longer operate. Diesel emissions continue to contribute to both PM<sub>2.5</sub> and PM<sub>10</sub> levels in neighborhoods near the ports of Seattle and Tacoma. This pollution has decreased significantly, however, in part due to federal laws requiring lower sulfur content in diesel fuel. Air quality is steadily improving.

**Q: How can I ensure my community will continue to meet the PM<sub>10</sub> standard?**

**A:** There are several ways you can help prevent and reduce pollution:

- If you heat with wood, burn cleanly. Make sure your firewood has been stored dry for six months or longer.
- Observe burn bans. Sign up for notification at <http://www.pscleanair.org/news/agencynews.aspx>
- Minimize use of your wood stove on days with poor air quality. You can check air quality at <http://www.pscleanair.org/airq/aqi.aspx>

## Proposed Update to the State Implementation Plan (SIP): Seattle, Kent, and Tacoma PM<sub>10</sub> Maintenance Areas

In the late 1980s, EPA classified Kent and the mostly industrial areas of Seattle and Tacoma as “nonattainment” areas for particulate matter ten microns or less in size (PM<sub>10</sub>). These areas were either very close to or violated the 24-hour PM<sub>10</sub> standard. Because of industrial emission reductions, facility closures, woodstove standards, curtailments and outdoor burning restrictions, the areas meet the standards now and have for 20 years.

The public is invited to comment on the proposed SIP revision before the Department of Ecology (Ecology) submits it to EPA in November 2013. This plan is for the following existing Puget Sound PM<sub>10</sub> Maintenance Areas:

- Seattle PM<sub>10</sub> Maintenance Area: An industrial area near the Duwamish River near Georgetown and South Park neighborhoods, including the Port of Seattle.
- Kent PM<sub>10</sub> Maintenance Area: An area in the Green River Valley with commercial and industrial sources as well as some neighborhoods with wood stoves, including the city of Kent between Highway 516 and South 212<sup>th</sup> Street.
- Tacoma PM<sub>10</sub> Maintenance Area: The mostly industrial Tideflats area between Commencement Bay and Interstate 5, including the Port of Tacoma. This area is not the same as the Tacoma-Pierce county PM<sub>2.5</sub> nonattainment area.

No new rules or requirements are being proposed.

### What will the SIP revision do?

Since the three maintenance areas show little risk of re-violating PM<sub>10</sub> standards, they qualify for a streamlined plan called a Limited Maintenance Plan. Ecology’s proposed SIP revision to include this Limited Maintenance Plan will:

- Meet the federal requirement for a second 10-year maintenance plan

### DATES AND LOCATIONS

**Formal comment period:**  
September 27, 2013 through  
November 4, 2013

**Public hearing date and location:**

October 30, 2013  
6:30 pm  
Kent Commons  
Mill Creek Room  
525 Fourth Ave N  
Kent, WA

**Contact**

Laurie Hulse-Moyer  
360-407-6783  
[laurie.hulse-moyer@ecy.wa.gov](mailto:laurie.hulse-moyer@ecy.wa.gov)

**Special accommodations**

For special accommodations or documents in alternate format, call 360-407-6800, 711 (relay service), or 877-833-6341 (TTY) by October 18, 2013.



- Maintain the control strategies that help the area continue to meet the standard, such as
  - Fugitive dust control
  - Wood smoke curtailment
  - Outdoor burning restrictions and
  - Industrial emission controls

Other provisions that contribute to cleaner air are:

- A diesel inspection and maintenance program
- Lower sulfur fuel and more stringent standards for new diesel vehicles
- Fulfill the Clean Air Act's final maintenance plan requirements for the three areas.

### Where can I get more information?

The proposed SIP revision and related documents are available for review on Ecology's website at: <http://www.ecy.wa.gov/programs/air/sips/plans/maintenancesip.htm>.

How do I submit comments?

- Testify or submit written comments at the public hearing on October 30, 2013
- Email your comments by November 4, 2013 to [AQComments@ecy.wa.gov](mailto:AQComments@ecy.wa.gov)
- Mail comments by November 4, 2013 to:  
Department of Ecology  
ATTN: Laurie Hulse-Moyer  
PO Box 47600  
Olympia, WA 98504-7600

### How will Ecology respond to comments?

All of the comments we receive will become part of the official record. Ecology will compile a summary of oral and written comments received during the comment period and Ecology's response to those comments.

### Información en Español

*Kent y las áreas industriales de Seattle y Tacoma necesitan revisiones rutinas para sus planes de calidad de aire. Esas revisiones demuestran que las áreas todavía cumplen con las normas federales para la calidad de aire. Ecología invita comentarios públicos sobre las revisiones propuestas desde el 27 de septiembre al 4 de noviembre. Para más información en español, favor de contactar a Richelle Perez por teléfono a (360) 407-7528 o por correo electrónico a [preguntas@ecy.wa.gov](mailto:preguntas@ecy.wa.gov).*