

## Air Operating Permit (AOP) Regulation

The Department of Ecology proposes to adopt amendments to Chapter 173-401 WAC, Operating Permit Regulation. The rule proposal will be published in the Washington State Register on August 19, 2015.

### What is the purpose of the rule proposal?

The purpose of this rule proposal is to:

- Update language for the complexity portion of Ecology's AOP fee to:
  - Allow flexibility for Ecology to develop fairer fee distribution associated with Ecology's work load for Ecology AOP sources.
  - Establish annual public process for setting the distribution of the fee burden. Under that process, some fees for Ecology's sources will increase and others may decrease.
- Revise non-statutory audit provisions to update fiscal and performance audit requirements.
- Clarify applicability requirements, including for nonmajor AOP sources, to align with federal rule.
- Update rule to be consistent with state and federal rules, correct errors, and clarify language where needed.

### What documents are available for review and comment?

The following documents are now available for review and comment:

- Proposed rule language.
- Determination of Nonsignificance (DNS)] under the State Environmental Policy Act.
- Small Business Economic Impact Statement (SBEIS).
- Preliminary Cost-Benefit and Least Burdensome Alternative Analyses.

To download these documents visit

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

#### MORE INFORMATION

**Public comment period ends:**

Friday, September 18, 2015

**Public Hearing and Webinar:**

September 10, 2015

10:00 a.m.

**Information for public hearing webinar:**

[http://www.ecy.wa.gov/programs/air/rules/rules\\_laws/wac173401/1312/Involvement.htm](http://www.ecy.wa.gov/programs/air/rules/rules_laws/wac173401/1312/Involvement.htm)

**Directions to hearing location:**

<http://www.ecy.wa.gov/directory/hq.html>

**Website:**

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

**Contact information:**

Margo Thompson

Air Quality Program

P.O. Box 47600

Olympia, WA 98504-7600

(360) 407-6827

[margo.thompson@ecy.wa.gov](mailto:margo.thompson@ecy.wa.gov)

**Special accommodations:**

*If you need this document in a format for the visually impaired, call the Air Quality at 360-407-6800 by 9/8/15.*

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

## Public hearing schedule

Ecology will hold one public hearing on September 10, 2015. Ecology will explain the rule changes and answer questions before holding the official public hearing on the proposed rule.

Date: September 10, 2015  
Time: 10:00 a.m.  
Location: Department of Ecology  
300 Desmond Drive SE  
Lacey, WA 95803  
Webinar: Ecology is also offering the presentation, Q&A session, and public hearing as a webinar. For more information about the webinar and instructions about how to join and participate, visit:  
[www.ecy.wa.gov/programs/air/rules/rules\\_laws/wac173401/1312/Involvement.htm](http://www.ecy.wa.gov/programs/air/rules/rules_laws/wac173401/1312/Involvement.htm)

## Submit your comments

Comment period ends September 18, 2015.

You can submit comments on this rule proposal through September 18, 2015. You can give us your official comments in the following ways:

- Email your comments to: [AQComments@ecy.wa.gov](mailto:AQComments@ecy.wa.gov)
- Mail comments to:
  - Margo Thompson
  - PO Box 47600
  - Olympia, WA 98504-7600
- Testify orally or submit written comments in person at the public hearing.
- Testify orally via the webinar during the public hearing.
- Fax comments to 360-407-7534

## Ecology's response to your comments

All of the comments we receive will become part of the official record. We will publish responses to comments in a document called a Concise Explanatory Statement (CES). The CES is required by the Administrative Procedure Act (RCW 34.05) and is available 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 December 1, 2015.

