



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

**Rule Implementation Plan  
Chapter 173-423 WAC  
Low Emission Vehicles  
and  
Chapter 173-400 WAC  
General Regulations for Air Pollution Sources**

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# Publication and Contact Information

This document is available on the Department of Ecology's website at:  
<https://fortress.wa.gov/ecy/publications/summarypages/2102031.html>

For more information contact:

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P.O. Box 47600  
Olympia, WA 98504-7600  
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Washington Department of Ecology — [www.ecology.wa.gov](http://www.ecology.wa.gov)

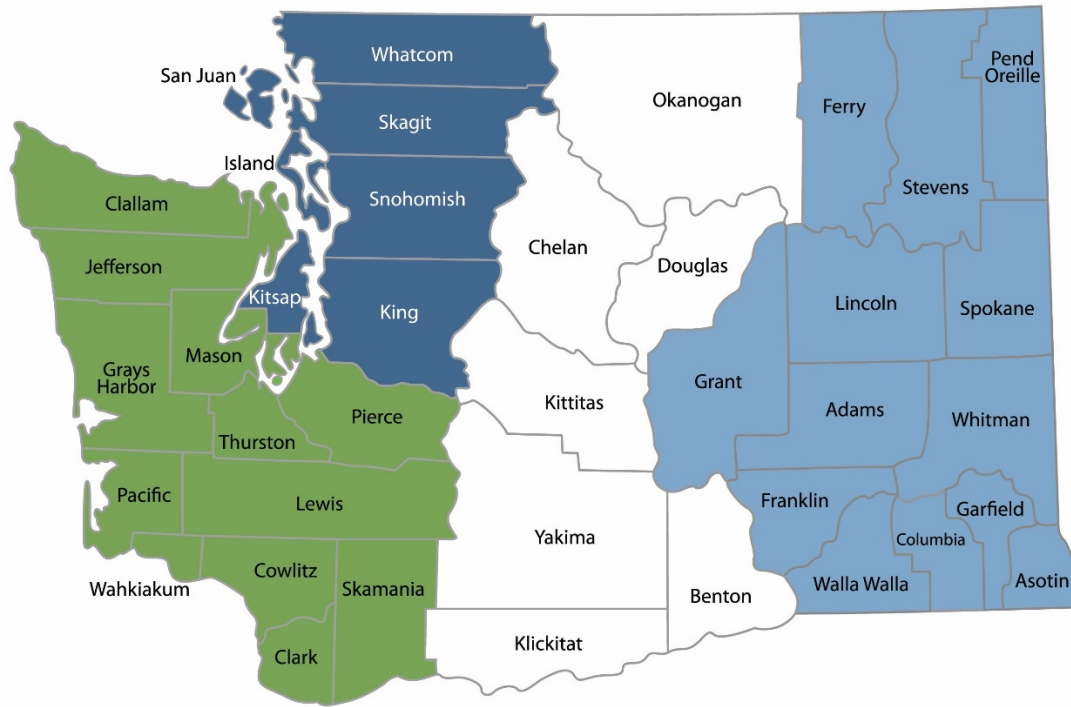
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# Department of Ecology's Regional Offices

## Map of Counties Served



<b>Southwest Region</b> 360-407-6300	<b>Northwest Region</b> 206-594-0000	<b>Central Region</b> 509-575-2490	<b>Eastern Region</b> 509-329-3400
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Region	Counties Served	Mailing Address	Phone
<b>Southwest</b>	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	P.O. Box 47775 Olympia, WA 98504	360-407-6300
<b>Northwest</b>	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	P.O. Box 330316 Shoreline, WA 98133	206-594-0000
<b>Central</b>	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
<b>Eastern</b>	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
<b>Headquarters</b>	Statewide	P.O. Box 46700 Olympia, WA 98504	360-407-6000

**Implementation Plan**  
**Chapter 173-423 WAC**  
**Low Emission Vehicles**  
**and**  
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**General Regulations for Air Pollution Sources**

Air Quality Program  
Washington Department of Ecology  
Olympia, Washington

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# Table of Contents

	<b>Page</b>
Purpose.....	1
Introduction.....	1
Implementation and Enforcement.....	1
Informing and Educating Persons Affected by the Rule .....	2
Promoting and Assisting Voluntary Compliance .....	3
Evaluating the Rule.....	3
Training and Informing Ecology Staff.....	4
List of Supporting Documents that May Need to be Written or Revised.....	4
More Information.....	4
Contact Information .....	5

## Purpose

The Washington Department of Ecology (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

On November 29, 2021, Ecology adopted amendments to Chapter 173-423 WAC, Clean Vehicles Program, and Chapter 173-400 WAC, General Regulations for Air Pollution Sources (AO # 20-04). The purpose of this rule implementation plan is to inform those who must comply with these rules about how 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

### Chapter 173-423 WAC

Ecology's Air Quality Program transportation specialist at the headquarters office will implement and enforce this rule.

### Low emission vehicles

Changes will require model year 2025 medium-duty vehicles weighing over 10,000 pounds that are sold, registered, leased, rented, licensed, or sold for use anywhere in Washington to meet the more strict clean vehicle requirements. The current requirements apply to passenger cars, light-duty trucks and medium-duty passenger vehicles (vehicles weighing less than 10,000 pounds).

## Rule Implementation Plan

Ecology's implementation role is to:

- Monitor auto-dealers to ensure they are selling vehicles that meet California's strict clean air emission standards and have the required environmental performance label.
- Coordinate with the Department of Licensing over registration issues from the sales of new non-compliant vehicles.

### **Zero emission vehicles (ZEV)**

Starting with model year 2025 vehicles and trucks, Ecology's implementation role is to:

- Review and monitor annual sales reports from manufacturers to ensure compliance with the rule provisions.

### **Chapter 173-400 WAC**

This rulemaking updated the adoption by reference date of federal rules in WAC 173-400-025. Ecology staff implement and enforce these federal rules:

- Air Quality Program staff
  - Central, Eastern, and Northwest (San Juan County only) Regional Offices
  - Headquarters office: Statewide for industries subject to the Prevention of Significant Deterioration (PSD) Program
- Industrial Section staff at the headquarters office: Statewide for paper mills, refineries, and chemical plants
- Nuclear Waste Program – Hanford staff in the Richland Field Office

Staff from a local clean air agency may also implement and enforce federal rules if they rely on the authority in this provision. Some agencies rely on the authority in their own rules that adopt federal rules by reference.

## **Informing and Educating Persons Affected by the Rule**

The audience for Chapter 173-423 WAC includes:

- Consumers who purchase a new low or zero emission vehicle.
- Manufacturers and dealers who sell low emission and zero emission vehicles and trucks.

The audience for Chapter 173-400 WAC includes:

- Large and small businesses with emissions.
- Large industrial facilities.



## Rule Implementation Plan

Ecology will inform and educate persons affected by these rules in the following ways:

- Send an email notice through two distribution lists: the Air Quality Program Rules and State Implementation Plans list and the agency email list (WAC Track) that provides information on all Ecology rulemakings.
- Post to our rulemaking website for at least two years.
- Update and maintain the zero emission vehicles webpage.

## Promoting and Assisting Voluntary Compliance

### Chapter 173-423 WAC

Ecology will update the zero emission vehicles web page<sup>1</sup> to help manufacturers and vehicle dealers understand and meet the ZEV rules by providing the following information:

- Yearly ZEV reports with electric vehicle sales data within Washington
- Automakers' annual compliance status
- Other helpful information to facilitate increasing electric vehicle sales

### Chapter 173-400 WAC

Ecology will promote and assist voluntary compliance through technical assistance when a business applies for a new air emissions permit or a revision to an existing permit. We will also update the Prevention of Significant Deterioration permit web page to reflect that Washington will continue to implement and enforce the requirements for project emissions accounting that were in effect before the November 24, 2020 rule changes in 85 FR 74890.

## Evaluating the Rule

### Chapter 173-423 WAC

Ecology will work with Northeast States for Coordinated Air Use Management, National Association of Clean Air Agencies, California Air Resources Board, and officials from other states to review and validate automakers' annual submissions. Automakers are required to submit the vehicle identification numbers (VINs) for their annual ZEV sales. We must verify that the ZEVs automakers claimed to have sold in Washington were registered in Washington, including correcting duplicate VINs or VINs assigned to the wrong state.

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<sup>1</sup> <https://ecology.wa.gov/Air-Climate/Climate-change/Reducing-greenhouse-gases/ZEV>

## Rule Implementation Plan

Ecology will track each automakers' annual electric vehicle sales to ensure that they are complying with the increasing annual credit or sales requirements. Ecology will post this information on the zero emission vehicles web page.<sup>2</sup>

### **Chapter 173-400 WAC**

This rule is a substantial part of the framework of Washington's program to meet federal air quality standards and protect human health. We monitor the rule through discussions with commercial and industrial sources, local clean air agency staff, and Ecology's permitting staff. Ecology's Air Quality Program staff will track suggested changes.

## **Training and Informing Ecology Staff**

Ecology will use staff meetings, the agency website, and e-mail to train and inform agency staff.

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

### **Chapter 173-423 WAC**

We have identified the supporting documents or systems that we may need to write, revise or develop because of the amended rule:

- Develop an online reporting system for automakers.
- Update the Department of Licensing vehicle database to include medium-duty vehicles. We must work with this agency to ensure their list is updated by the January 1, 2024 start date for model year 2025 vehicles.
- Develop an implementation plan that considers the logistics of implementing and enforcing the new rule, including staffing requirements, reporting and evaluation procedures, and compliance and enforcement procedures.

### **Chapter 173-400 WAC**

No documents need to be revised in response to this change.

## **More Information**

### **Websites**

- More information on the Air Quality Program:  
<http://www.ecy.wa.gov/programs/air/airhome.html>

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<sup>2</sup> <https://ecology.wa.gov/Air-Climate/Climate-change/Reducing-greenhouse-gases/ZEV>

## Rule Implementation Plan

- Notice of construction permit:  
<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Air-Quality-permits/Notice-of-Construction-permit>
- Prevention of Significant Deterioration (PSD) permit:  
<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Air-Quality-permits/Prevention-of-Significant-Deterioration-PSD>
- Rulemaking documents – We retain each rulemaking web page online for two years:  
<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-423-400>
- Washington clean cars:  
<https://ecology.wa.gov/Air-Climate/Air-quality/Vehicle-emissions/Clean-cars>
- Zero emission vehicles:  
<https://ecology.wa.gov/Air-Climate/Climate-change/Reducing-greenhouse-gases/ZEV>

## Contact Information

### Clean Vehicles Program

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