



DEPARTMENT OF
ECOLOGY
State of Washington

**Rule Implementation Plan
Chapter 173-400 WAC, General Regulations for Air
Pollution Sources and Chapter 173-401, Operating
Permit Regulation**

February 2025

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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/2502005.html>

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Rule Implementation Plan
Chapter 173-400 WAC
General Regulations for Air Pollution Sources
and
Chapter 173-401 WAC
Operating Permit Regulation

Air Quality Program
Washington State Department of Ecology
Olympia, Washington

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Purpose

The Washington State 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 February 12, 2025, Ecology adopted amendments to Chapter 173-400 WAC, General Regulations for Air Pollution Sources, and Chapter 173-401 WAC, Operating Permit Regulation (AO #23-08). 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 173-400 WAC, General Regulations for Air Pollution Sources

This chapter establishes standards to control and prevent air pollution from emissions sources. The rule amendments update references to a new publication date for Ecology's Source Test Manual – Procedures for Compliance Testing. The February 2025 Source Test Manual replaces the previous version of the manual that had been in place since September 2004.

Ecology and local clean air agency staff implement this rule and will continue to enforce the emissions standards through emissions reporting, permits, technical assistance, and orders as needed.

Chapter 173-401 WAC, Operating Permit Program

This chapter establishes Washington's Operating Permit Program under Title V of the federal Clean Air Act. The rule update removes the emergency affirmative defense provisions to align with similar changes to federal operating permit regulations adopted by EPA in July 2023. These provisions had allowed emissions sources to avoid liability for emissions violations caused by an emergency.

Ecology and seven local clean air agencies implement their permitting programs through this rule. Ecology and local clean air agency staff will update existing permits during the course of normal permit actions as needed. New permits will comply with the new requirements.

Informing and Educating Persons Affected by the Rule

To inform and educate persons affected by these rules, Ecology will:

- Send notice with the rule adoption documents by GovDelivery to the following:
 - Air Quality Program Rule and SIP Updates distribution list.
 - Ecology WACTrack distribution list.
 - Persons who previously requested to be included on a contact list during development of the updated Source Test Manual and other projects.
 - Persons who submitted comments on the rulemaking.
- Post the rule adoption documents, including the 2025 Source Test Manual, on Ecology's [rulemaking webpage](#).
- Provide training on the 2025 Source Test Manual if requested.
 - Ecology kept state and local clean air agency permit writers informed of the rulemaking and discussed the draft changes to the Source Test Manual throughout the update process.
 - Ecology held two online public meetings to share draft updates to the manual and answer questions.
- Communicate with local clean air agencies and regulated entities about the changes as needed.

Promoting and Assisting Voluntary Compliance

Ecology will promote voluntary compliance through technical assistance when air operating permits are applied for, issued, or revised.

Air Quality Program staff are available to respond to questions from regulated entities and local clean air agencies as needed.

Evaluating the Rule

Ecology will monitor the impacts and continue discussions with Ecology and local clean air agency staff as needed. The Air Quality Program maintains a list of suggestions for improving air quality regulations received from Ecology staff, local clean air agencies, and the regulated community. We refer to this list before initiating a new rulemaking.

Training and Informing Ecology Staff

Ecology staff and local clean air agency staff responsible for implementing these rules work directly with the affected emissions sources and are already familiar with the rule and manual updates. These staff are available to coach other permit writers as needed.

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

Source Test Manual – Procedures for Compliance Testing; updated February 2025

- Ecology adopted amendments to Chapter 173-400 WAC to incorporate the updated manual into the rule.

More Information

Ecology's [rulemaking webpage](#) contains the following documents:

- Rule Language – Chapter 173-400 WAC
- Rule Language – Chapter 173-401 WAC
- Rule Adoption Filing Form (CR-103)
- Rule Implementation Plan
- State Environmental Procedures Act – determination of non-significance and environmental checklist
- Final Regulatory Analyses
- Concise Explanatory Statement – contains public comments received and Ecology's responses

Ecology's publication database contains the following documents:

- 2025 Source Test Manual – Procedures for Compliance Testing
- Final Regulatory Analyses
- Concise Explanatory Statement – contains public comments received and Ecology's responses
- Environmental Justice Assessment

The completed Environmental Justice Assessment will also be posted on Ecology's [environmental justice assessments webpage](#).

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