



Instructions for Ecology's Notice of Construction Application

Do I need a permit?

Unless otherwise exempt, you need a Notice of Construction (NOC) air quality permit to construct or modify any building, structure, facility, or installation that:

- increases, or may increase, the amount of any air contaminant emitted by such source; or
- results in the emission of any air contaminant not previously emitted (a.k.a. “new source”).

A permit is not required for:

- single-family residences and duplexes,
- primary agricultural production activities, or
- other new sources exempted on the basis of category, size, or emission threshold, as defined in [Washington Administrative Code 173-400-110](#).¹

Note that if the emission thresholds are used, you must assume that the project will operate 8,760 hours per year, at full capacity, using only emission controls intrinsic to the emission units' design. A permit may also be required to [replace or substantially alter emission control technology](#),² regardless of whether it results in an increase in the amount of any air contaminant emitted.

When should I apply for a permit?

It generally takes two to six months to get an air quality permit. Complex projects, involving several agencies, can take more time. Contact the Washington State Department of Ecology (Ecology) while you are in the project planning phase. This will save time in the long run and can decrease project costs. What you learn may change your selection of a site or the scope of your project. Ecology contacts are listed on page 1 of the NOC application.

How do I apply for a permit?

Please contact Ecology before completing the application. Ecology will verify whether your project is within its regulatory jurisdiction and whether a permit is required. Ecology encourages you to schedule a pre-application meeting prior to submitting your application. Ecology contacts are listed on page 1 of the NOC application.

How much does the permit cost?

The fees are shown on page 2 of the NOC application. You can also find them in Ecology's fee rule, [Washington Administrative Code \(WAC\) 173-455-120](#).³ The complexity of the project, combined with the time Ecology spends processing the application, will affect the cost of your permit. Ecology offers up to two hours of free pre-application assistance. The initial fee covers up to a specified number of hours that Ecology can spend on your application. Most projects will take more than the specified number of hours and thus be subject to a second hourly fee. The second hourly fee is \$95 per hour for each hour above the initial specified number of hours. Ecology will not start work on your project until we have received the correct initial fee. The final permit will not be issued until all fees are paid in full.

How do I complete the NOC application?

Part 1 of the application requests general information about your project. Part 2 of the application is a checklist, outlining the information Ecology typically needs to review an application and issue a final permit. Part 2 is usually submitted as attachments to the application. Remember that Ecology offers up to two hours of free pre-application assistance, and encourages pre-application meetings. More instructions on completing sections of the application are available as follows:

¹ <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-400-110>

² <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-400-114>

³ <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-455&full=true#173-455-120>



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- [State Environmental Policy Act](#)⁴
- [Emission Estimations](#)⁵
- [Emission Standard Compliance](#)⁶
- [Best Available Control Technology](#)⁷
- [Ambient Air Impacts Analyses](#)⁸
- [Public Notice Process](#)⁹

Do I have to complete the whole application?

You must complete the entire application to get a valid permit. Submitting incomplete or inaccurate information will increase the processing time, which may result in costly project delays. Include a complete and accurate project description. Contact Ecology to ask questions rather than guessing or omitting information. Ecology can help you understand how to make your application complete.

Will Ecology complete my application for me?

Ecology's role is to review applications, ensure that all state and federal requirements are being satisfied, and issue a decision on your project. We are prohibited from designing your project or completing your analyses for you. Ecology does offer up to two hours of free pre-application assistance. These two hours can either be used in a pre-application meeting or answering questions by telephone or email. If you schedule a pre-application meeting with Ecology staff, we request you supply us with the Project Description listed on Page 4 of the application prior to the meeting.

Where can I get help completing my application?

Because the analyses are complicated, many applicants choose to hire a third party environmental consultant. Ecology is prohibited from recommending a consultant; however, we can provide you a [list of consultants](#)¹⁰ who have requested that their names be made available.

When can I construct my project?

You may legally [begin actual construction](#)¹¹ on your project when you have the final permit in hand.

How long will it take to process my application?

It generally takes two to six months. Within 30 days of receiving your application, Ecology will notify you about whether you must submit additional information. If a formal public comment period is required, Ecology will issue a draft permit decision for public comment within 60 days of receiving a complete application. Ecology will issue a final NOC permit determination as soon as possible after the public comment period is closed. If no formal public comment period is required, Ecology will issue a final permit determination within 60 days of receiving a complete application.

Will I get a permit?

Ecology will approve a permit for your project if it meets new source requirements to:

- comply with all other applicable air quality emission standards,
- employ Best Available Control Technology,
- comply with all Ambient Air Quality Standards and Acceptable Source Impact Standards, and
- meet all of the administrative/processing steps.

⁴ <http://www.ecy.wa.gov/programs/sea/sepa/e-review.html>

⁵ <https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070410b.html>

⁶ <https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070410c.html>

⁷ <https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070410d.html>

⁸ <https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070410e.html>

⁹ <https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070410f.html>

¹⁰ <https://fortress.wa.gov/ecy/publications/SummaryPages/ECY070410g.html>

¹¹ <https://fortress.wa.gov/ecy/publications/SummaryPages/0802015.html>