



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Southwest Clean Air Agency

- Preproposal Statement of Inquiry was filed as WSR 16-23-073;
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information: (Describe Subject)

See Attached Sheet.

### Hearing location(s):

Office of SWCAA  
11815 NE 99<sup>th</sup> Street, Suite 1294  
Vancouver, WA 98682

Date: May 4, 2017 Time: 3:00 PM

### Submit written comments to:

Name: Paul Mairose  
Address: 11815 NE 99<sup>th</sup> Street, Suite 1294  
Vancouver, WA 98682  
e-mail Paul@swcleanair.org  
fax (360) 576-0925 by (date) April 28, 2017

Assistance for persons with disabilities: Contact

Tina Hallock by May 2, 2017

TTY (360) 574-3058

Date of intended adoption: May 4, 2017  
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

See Attached Sheet.

### Reasons supporting proposal:

See Attached Sheet.

Statutory authority for adoption: RCW 70.94.141

Statute being implemented: RCW 70.94.141

### Is rule necessary because of a:

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

DATE February 1, 2017

NAME Uri Papish

SIGNATURE

TITLE Executive Director

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: February 01, 2017

TIME: 11:44 AM

WSR 17-04-106

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent: (person or organization)**

Southwest Clean Air Agency

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Paul Mairose	11815 NE 99 <sup>th</sup> Street, Suite 1294, Vancouver, WA 98682	(360) 574-3058
Implementation.... Paul Mairose	11815 NE 99 <sup>th</sup> Street, Suite 1294, Vancouver, WA 98682	(360) 574-3058
Enforcement..... Uri Papish	11815 NE 99 <sup>th</sup> Street, Suite 1294, Vancouver, WA 98682	(360) 574-3058

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

Changes proposed by SWCAA are consistent with Federal or State rules already in effect. This agency is not subject to the small business economic impact provision of RCW 19.85. A fiscal analysis has been performed to establish the basis for any proposed fee increases. Copies of this analysis are available from SWCAA.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain:

Pursuant to RCW 70.94.141(1), Section 201, Chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking Section 201, Chapter 403, Laws of 1995 for this action.

**Title of rule & other identifying information:**

## SWCAA 400-036

Portable Sources From Other Washington Jurisdictions. This is an existing section that allows for operation of portable sources with valid approvals from other jurisdictions without obtaining an Agency approval.

## SWCAA 400-045

Permit Application for Nonroad Engines. This is an existing section identifying requirements for permit applications for nonroad engines.

## SWCAA 400-046

Application Review Process for Nonroad Engines. This is an existing section identifying requirements for the processing and approval of permit applications for nonroad engines.

## SWCAA 400-072

Small Unit Notification for Selected Source Categories. This is an existing section containing air emission standards, work practices, and monitoring/reporting requirements that may be used in lieu of New Source Review for selected small source categories.

## SWCAA 400-074

Gasoline Transport Tanker Registration. This is an existing section containing air emission standards, work practices, registration and monitoring/reporting requirements for gasoline transport tankers.

## SWCAA 400-098

Procedure for Adoption and Revision of the Consolidated Fee Schedule. This is a new section containing procedures by which the Agency may adopt or revise a fee schedule for programs and activities that require a fee to support those activities.

## SWCAA 400-099

Per Capita Fees. This is an existing section identifying the authority for, method of determination, and amount of the Agency's per capita fee assessment for supplemental income.

## SWCAA 400-100

Registration Requirements. This is an existing section identifying requirements for registration and inspection of air contaminant sources.

## SWCAA 400-103

Operating Permit Fees. This is an existing section governing fee assessment and expenditure for the Operating Permit Program.

## SWCAA 400-109

Air Discharge Permit Applications. This is an existing section that identifies requirements for the submission and content of Air Discharge Permit applications.

**Purpose of the proposal and its anticipated effects: / Reasons supporting proposal:**

## SWCAA 400-036

Portable Sources From Other Washington Jurisdictions. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-045

Permit Application for Nonroad Engines. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-046

Application Review Process for Nonroad Engines. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-072

Small Unit Notification for Selected Source Categories. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-074

Gasoline Transport Tankers. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-098

Procedure for Adoption and Revision of the Consolidated Fee Schedule. The proposed rule provides for establishment of a Consolidated Fee Schedule outside of the rule making process. It establishes a process and procedure for adoption and revision to the fee schedule and associated public notice and comment provisions.

This proposed rule will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and comment and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-099

Per Capita Fees. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-100

Registration Requirements. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-103

Operating Permit Fees. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.

## SWCAA 400-109

Air Discharge Permit Applications. The proposed rule change removes reference to specific fees and redirects the reader to consult the current Consolidated Fee Schedule.

This proposed change will consolidate all fees into a single location to make it easier for affected parties to locate applicable fees. It will also remove the fees from the rule and establish a process for public notice and Board consideration of changes without going through the complicated and lengthy rule making process.