

**SOUTHWEST CLEAN AIR AGENCY
PUBLIC HEARING – JANUARY 22, 2020
END OF COMMENT PERIOD – JANUARY 24, 2020**

**for
PROPOSED AMENDMENTS TO SWCAA 400 CONCERNING
GENERAL REGULATIONS FOR AIR POLLUTION SOURCES**

**HEARINGS OFFICER REPORT/
RESPONSE TO COMMENTS**

The Southwest Clean Air Agency (SWCAA) seeks comment on proposed rules that would update SWCAA rules to change the manner in which federal regulations are incorporated by reference in multiple sections of SWCAA 400. SWCAA’s proposal was available for review and comment at <http://www.swcleanair.org/regs/proposedrules.asp?nav=regs>.

Existing incorporation by reference citations contain an effective date as part of each citation. This practice leads to numerous and redundant date citations through the body of the rule, which are difficult to edit and keep current. SWCAA proposes to adopt a new standalone rule section (SWCAA 400-025) that specifies a single effective date for all federal regulation incorporation by reference citations. Corresponding incorporation by reference citations in the remainder of the rule will be revised to cite the new rule section instead of individual effective dates.

SWCAA held a public hearing regarding these proposals at its office on January 22nd at 6 pm at the SWCAA office at 11815 NE 99th Street, Suite 1294, Vancouver, Washington. The Hearings Officer was Uri Papish, Executive Director, and accompanied by AQ Engineer, Wess Safford. There were no public attendees. The hearing was opened promptly at 6:00 pm and closed at 6:20 pm.

Comments were accepted between December 4, 2019 and January 24, 2020. Any comments received after this public hearing will be presented to SWCAA’s Board of Directors before a final decision is made. The proposed revisions to the General Regulations for Air Pollution Sources will be considered for adoption at a hearing at SWCAA’s February 6th Board of Director’s meeting. The February Board meeting will be held at SWCAA’s office at 3:00 p.m.

Summary:

- No one from the public attended the public hearing.
- One written comment was received during the rulemaking process:

Summary of Comments

Table 1 List of Commenters		
Commenter ID	Commenter Affiliation	Comment
1	Curt Holdt	1

Table 2
Summary of Comments and Responses

Category/Topic	Comment ID	Comment	Response
Remove From List of Subscribers	1	I retired 4 years ago and would appreciate it if you would “unsubscribe” me, thanks, Curt	Thank you for the response.

Full Comment

From: [Curt Hokit](#)
To: [Wess Safford](#)
Subject: Re: Proposed Rule Changes to SWCAA 400 General Regulations for Air Pollution Sources
Date: Wednesday, December 4, 2019 9:30:52 AM

Hey Wes, I retired 4 years ago & would appreciate it if you would “unsubscribe” me, thanks,
Curt

Sent from my iPhone

On Dec 4, 2019, at 8:52 AM, Wess Safford <Wess@swcleanair.org> wrote:

Proposed Rule Changes to

SWCAA 400 General Regulations for Air Pollution Sources

SWCAA 400 “General Regulations for Air Pollution Sources” are the general regulations with which the Southwest Clean Air Agency (SWCAA) regulates the emission of air contaminants from sources within the jurisdiction of SWCAA. The purpose of the regulations is to prevent violations of federal, state and local air standards and to implement the Washington Clean Air Act (Chapter 70.94 RCW).

SWCAA is proposing to change the manner in which federal regulations are incorporated by reference in multiple sections of SWCAA 400. Existing incorporation by reference citations contain an effective date as part of each citation. This practice leads to numerous and redundant date citations through the body of the rule, which are difficult to edit and keep current. SWCAA proposes to adopt a new standalone rule section (SWCAA 400-025) that specifies a single effective date for all federal regulation incorporation by reference citations. Corresponding incorporation by reference citations in the remainder of the rule will be revised to cite the new rule section instead of individual effective dates.

An electronic version of the proposed rule can be viewed on the SWCAA website at www.swcleanair.org/regs/proposedrules.asp and physical copies can be viewed at the SWCAA

office located at 11815 NE 99th Street, Suite 1294 in Vancouver, Washington during business hours, Monday through Friday, 7:00 a.m. to 5:30 p.m. Phone (360) 574-3058.

The public comment period for the proposed rule change will begin on December 4, 2019 and close on January 24, 2020. Comments can be submitted in writing, prior to the close date, to the above address or emailed to Wess Safford at wess@swcleanair.org. A public hearing for the proposed rule changes will be held at SWCAA’s business office beginning at 6:00 pm on January 22, 2020. SWCAA intends to submit the proposed rules for consideration for adoption by the Board at the February 6, 2020 board meeting.