



# 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 16-23-074;
- 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)

SWCAA 425-060 Outdoor Burning Permit Program/Requirements

This rule contains the Agency's outdoor burning permit program requirements, types of burning that require a permit, fees for each type of permit, permit decisions, general permit and requirements for residential burning and field response and enforcement.

**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:**

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

**Reasons supporting proposal:**

This proposed change is part of a process to 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. The procedure for adoption and revision of the Consolidated Fee Schedule is provided for under SWCAA 400-098.

**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: 11:46 AM**

**WSR 17-04-107**

**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.