



**PROPOSED RULE MAKING**  
(RCW 34.05.320)

**CR-102 (7/23/95)**

Agency: Southwest Air Pollution Control Authority

Preproposal Statement of Inquiry was filed as WSR 96-14-021; or  
 Proposal is exempt under RCW 34.05.310(4).

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

**(a) Title of rule: (Describe Subject)**

SWAPCA 491 Emission Standards and Controls For Sources Emitting Gasoline Vapors

**Purpose:** This rule establishes requirements for sources emitting gasoline vapors and includes provisions for control of those emissions.

Other identifying information:

**(b) Statutory authority for adoption:**

RCW 70.94.141 & 70.94.331

**Statute being implemented:**

RCW 70.94.141

**(c) Summary:** Changes are proposed to update the compliance schedule contained in the rule and to revise the Stage I throughput level for Clark County from 360,000 gallons per year to 200,000 gallons. Other changes are made for language clarification.

**Reasons supporting proposal:**

These changes are necessary to support the adopted Vancouver Ozone Maintenance Plan and provide consistency with SWAPCA 490. In addition, changes are necessary to clarify and update portions of the rule.

**(d) Name of Agency Personnel Responsible for:**

**Office Location**

**Telephone**

| Name of Agency Personnel Responsible for: | Office Location              | Telephone    |
|---|------------------------------|--------------|
| 1. Drafting ..... Paul Mairose            | 1308 NE 134th St., Vancouver | 360-574-3058 |
| 2. Implementation .... Paul Mairose       | 1308 NE 134th St., Vancouver | 360-574-3058 |
| 3. Enforcement ..... Robert D. Elliott    | 1308 NE 134th St., Vancouver | 360-574-3058 |

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

Southwest Air Pollution Control Authority

- Private
- Public
- Governmental

**(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None.

**(g) Is rule necessary because of:**

- Federal Law?  Yes  No If yes, ATTACH COPY OF TEXT
- Federal Court Decision?  Yes  No Citation:
- State Court Decision?  Yes  No

**(h) HEARING LOCATION:**

Southwest Air Pollution Control Authority Office  
1308 NE 134th Street  
Vancouver, WA 98685  
Date: Oct. 15, 1996 Time: 3:00 p.m.

**Submit written comments to:**

Paul Mairose 1308 NE 134th St.  
Vancouver, WA 98685  
FAX (360 ) 576-0925 By (date) Oct. 10, 1986

**DATE OF INTENDED ADOPTION:**

Oct 15, 1996

**Assistance for persons with disabilities: Contact**  
Mary Allen by Oct. 10, 1996

TDD (360) 574-3058 or ( ) \_\_\_\_\_

**NAME (TYPE OR PRINT)**

Robert D. Elliott

**SIGNATURE**

*Paul Mairose / for RDE*

**TITLE**

Executive Director

**DATE**

8/6/96

**CODE REVISER USE ONLY**

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

AUG 13 1996

TIME: 9:20  
WSR: 96-17-042

(j) **Short explanation of rule, its purpose, and anticipated effects:** This regulation provides for control of gasoline vapors at gasoline marketing sources. The changes in the proposed rule eliminate language that is out of date as provided in a compliance schedule. The proposed rule is consistent with the existing WAC 173-491. The proposed changes also include clarification language for installation and testing requirements for Stage I and Stage II installations. The changes also provide clarification on certified equipment in that all Stage I and Stage II control equipment shall be CARB certified and be installed and operated in accordance with that certification. These changes do not incorporate substitute HB 2376. The changes required under that bill will be addressed under separate rule making. The proposed changes provide consistency between SWAPCA 490 and 491.

Does proposal change existing rules?

YES

NO

If yes, describe changes:

See above.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by writing to:

telephoning: (     )

faxing: (     )

No. Explain why no statement was prepared.

The proposed changes adopt the current WAC 173-491 with the exception of revising the out of date compliance schedule and providing consistency with the federally enforceable requirements of WAC 173-490 for Stage I in Clark County. This Agency is not subject to the small business economic impact provision of RCW 19.85.

(l) Does section 201, chapter 403, Laws of 1995, apply to this rule adoption?

Yes

No

Please explain:

Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995 do not apply to this Agency. SWAPCA is not voluntarily invoking the Laws of 1995.