



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (4/25/96)

Agency: SOUTHWEST AIR POLLUTION CONTROL AUTHORITY

- Permanent Rule**
 Emergency Rule
 Expedited Repeal

(1) Date of adoption: OCTOBER 15, 1996

(2) Purpose: Changes in this revision include clarification to existing language and definitions, removal of obsolete compliance dates, changes to Stage I throughput to be consistent with WAC 173-490 and provide reference to testing and reporting requirements, removed Skamania County from Stage II requirements, increased throughput for Cowlitz, Lewis and Wahkiakum to 1.2 million gallons.

(3) Citation of existing rules affected by this order:
~~Repealed: xxx~~
Amended: SWAPCA 491-010, 491-015, 491-020, 491-030, 491-040, 491-050, 491-060
~~Suspended: xxx~~

(4) Statutory authority for adoption: RCW 70.94.141 and 70.94.331
Other authority:

PERMANENT RULE ONLY
 Adopted under notice filed as WSR 96-17-042 on August 19, 1996 (date).
 Describe any changes other than editing from proposed to adopted version:
 Minor clarification to SWAPCA 491-040(5) that Stage II for Clark County is required by December 31, 1998 or at the time of upgrade. One sentence was moved and slightly changed to read properly. Changes provide for consistency with SHB 2376.

EMERGENCY RULE ONLY
 Under RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
 Reasons for this finding:

EXPEDITED REPEAL ONLY
 Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If Yes, explain:

(6) Effective date of rule:

Permanent Rules or Expedited Repeal	Emergency Rules
<input checked="" type="checkbox"/> 31 days after filing	<input type="checkbox"/> Immediately
<input type="checkbox"/> Other (specify) _____ *	<input type="checkbox"/> Later (specify) _____

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

OCT 21 1996

TIME: 10:16 AM
WSR 96-21-102

NAME (TYPE OR PRINT)
Robert D. Elliott

SIGNATURE
Robert D. Elliott

TITLE
Executive Director

DATE
10/18/96

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New _____	Amended _____	Repealed _____
Federal rules or standards:	New _____	Amended _____	Repealed _____
Recently enacted state statutes:	New _____	Amended _____	Repealed _____

The number of sections adopted at the request of a nongovernmental entity:

New _____ Amended _____ Repealed _____

The number of sections adopted on the agency's own initiative:

New 1 Amended 6 Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New _____ Amended _____ Repealed _____

The number of sections adopted using:

Negotiated rule making:	New _____	Amended _____	Repealed _____
Pilot rule making:	New _____	Amended _____	Repealed _____
Other alternative rule making:	New <u>1</u>	Amended <u>6</u>	Repealed _____