



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Southwest Clean Air Agency

- | | |
|--|---|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 16-23-078; | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input type="checkbox"/> Continuance of WSR _____ |

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

SWCAA 493-200 Aerosol Coatings

This rule contains requirements for the sale or use of aerosol coatings within the jurisdiction of the Agency. Volatile organic compound limits are established by federal rule. Variances to the requirements may be granted provided that application is made a fee is paid.

and

SWCAA 493-400 Automobile Refinish Coatings

This rule contains requirements for maximum volatile organic compound limits for automotive refinish coatings consistent with federal rule. Variances to the requirements may be granted provided that application is made and a fee is paid.

Hearing location(s):

Office of SWCAA
11815 NE 99th Street, Suite 1294
Vancouver, WA 98682

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

Submit written comments to:

Name: Paul Mairose
Address: 11815 NE 99th 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 variance 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 Agency 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 via Board Resolution 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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> 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: 11:50 AM

WSR 17-04-111

(COMPLETE REVERSE SIDE)

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 th Street, Suite 1294, Vancouver, WA 98682	(360) 574-3058
Implementation.... Paul Mairose	11815 NE 99 th Street, Suite 1294, Vancouver, WA 98682	(360) 574-3058
Enforcement..... Uri Papish	11815 NE 99 th 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.