



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Rule Implementation Plan
for the Adoption of Amendments to
Chapter 173-434 WAC, Solid Waste Incinerators

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Introduction:

This is a “significant legislative rule.” RCW 34.05.328(3) requires that, before adopting such a rule as this, Ecology place in the rule-making file a rule implementation plan for rules filed under each adopting order. The plan shall describe how the agency intends to:

- Implement and enforce the rule, including a description of the resources the agency intends to use;
- Inform and educate affected persons about the rule;
- Promote and assist voluntary compliance; and
- Evaluate whether the rule achieves the purpose for which it was adopted, including, to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes.

1. How does Ecology intend to implement and enforce the rule? Please include a description of the resources the Agency intends to use.

The rule would be implemented and enforced by local air authorities and the Ecology Industrial Section. This is the status quo.

2. How does Ecology intend to inform and educate affected persons about this rule?

Affected persons have been kept informed through the stakeholder process. Ecology intends to notify all persons holding a permit to incinerate twelve or more tons per day of solid waste of the rule within 200 days of its promulgation. Ecology staff would not require training, as all the affected facilities are in the jurisdiction of local agencies. Interested staff from local agencies have been contacted throughout the rule making.

3. How does Ecology intend to promote and assist voluntary compliance with this rule?

The proposed rule contains a provision for voluntarily opting in to an alternate compliance scheme under federal subpart Eb. Compliance assurance is within the purview of the local air authorities. Affected facilities would have to update permits with local air authorities.

4. How does Ecology intend to evaluate whether the rule achieves the purpose for which it was adopted, including to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes?

The rule would be successful if the subject facilities opt in to the alternative compliance scheme.

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