



Rule Adoption Notification

Chapter 173-400 WAC - General Regulations For Air Pollution Sources

As a result of legislation passed in 2003 (ESSB 5766) Ecology is required to send out notification to businesses affected by rule adoptions. To comply with this law and to keep the regulated community better informed of Ecology rule adoptions, you are receiving this notification of a rule adoption.

For Technical Assistance:

Air Quality Program:

Alan Newman or Tom Todd
PO Box 47600
Olympia, WA 98504-7600
(360) 407-6810 or
(360) 407-7528

Local Clean Air Agencies

If you are in an area of the state served by a Local Clean Air Agency - contact that agency. Visit: <http://www.ecy.wa.gov/programs/air/airhome.html> for a list of Local Clean Air Agencies and other contract information.

Appeal Procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email jthi461@ecy.wa.gov.

Changes were made to the New Source Review Program.

The Department of Ecology administers for the Environmental Protection Agency (EPA) the federal program that permits large air pollution sources. This program is called Prevention of Significant Deterioration (PSD). In late 2002 EPA changed the federal PSD rules, which resulted in a need for Ecology to change its rules to accommodate the federal changes. The Ecology amendments provide the basis for Ecology to retain delegation of the PSD program from EPA. With delegation, Ecology writes the PSD permits, instead of EPA. Several other issues were also tackled at this time.

Features of the new regulations

- Sources can now apply for Pollution Control Projects, Clean Unit Status, and Plantwide Applicability Limits. These different determinations allow for modifying polluting units with a lesser amount of permitting, under certain circumstances.
- The rule created, for the first time, the ability for permitting authorities to write General Permits. If a source is eligible for a general permit, the permitting burden on the source is reduced with enhanced environmental protection.
- For the first time in more than 10 years, the fees that are charged for permitting were raised.
- The public notice requirements for permittees were clarified and an allowance for Internet public notification of a project was codified.

Effective February 10, 2005

The revisions to Chapter 173-400 WAC became effective on February 10, 2005.