

Rule Adoption Notice

Air Quality Program

August 2011

General Regulations for Air Pollution Sources (Chapter 173-400 WAC) and Operating Permit Regulation (Chapter 173-401 WAC)

The Washington State Department of Ecology has updated its rules that implement the federal greenhouse gas permitting rule.

What are Chapters 173-400 WAC and Chapter 173-401 WAC?

Chapter 173-400 affects a broad range of facilities and industries. It regulates:

- Criteria pollutants. Examples are fine particles and sulfur dioxide.
- Hazardous air pollutants. An example is greenhouse gases.
- Toxic air pollutants. Examples are benzene from gasoline and heavy metals.

Chapter 173-401 WAC establishes Washington's air operating permit program so that it is consistent with the requirements of Title V of the Federal Clean Air Act. It affects major sources, those stationary sources that emit or have the potential to emit:

- Ten tons per year or more of any hazardous air pollutant, or
- Twenty-five tons per year or more of any combination of hazardous air pollutants

Summary of the rule changes adopted on August 10, 2011

This amendment revises the two rules that implement the federal greenhouse gas permitting rule to assure consistency between the state and federal regulations.

MORE INFORMATION

On the Web:

Revision of Air Quality Program rules, Chapter 173-400 WAC and 173-401 WAC:

http://www.ecy.wa.gov/laws-rules/wac173400_401/1104.html

Air emission permits for business and industry:

http://www.ecy.wa.gov/programs/air/permit_register/NewPermitsPage.html

To get updates on Ecology's rule-making activities, sign up for the WACTrack e-mail list at www.ecy.wa.gov/maillist.html.

Effective September 10, 2011

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Special accommodations:

If you need this document in a format for the visually impaired, call the Air Quality Program at 360-407-6800.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

This action defers for a period of three years the application of the Prevention of Significant Deterioration (PSD) and Title V permitting requirements to biogenic carbon dioxide (CO₂) emissions from bioenergy and other biogenic stationary sources.

This rule making does not change the greenhouse gas reporting requirements in Chapter 173-441 WAC.

Response to Comments

No comments were received during the public comment period. View Ecology's rule adoption process at: http://www.ecy.wa.gov/laws-rules/wac173400_401/1104.html.

Whom does this rule affect?

This rule affects major sources with carbon dioxide (CO₂) emissions from bioenergy and other biogenic stationary sources.

Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at (360) 407-6998 or bari.schreiner@ecy.wa.gov.

