

Appendix G- Public Involvement

STATE OF WASHINGTON – KING COUNTY

--ss.

284491
DEPT. OF ECOLOGY-AIR QUALITY

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

PNPH:TWO PUBLIC HEARINGS

was published on

05/24/12

The amount of the fee charged for the foregoing publication is the sum of \$ 215.25, which amount has been paid in full.



Affidavit of Publication

[Signature]

Subscribed and sworn to before me on
05/24/12 *[Signature]*

Notary public for the State of Washington,
residing in Seattle



DAILY JOURNAL OF COMMERCE
ADVERTISING PROOF

Date: 08/23/2012
Adnum: 284491
Custid: D714

Customer: DEPT. OF ECOLOGY-AIR QUALITY
Ad Title: Two Consecutive Public Hearings
Lines: 106

State of Washington

Air Quality Program Notice of Two Consecutive Public Hearings

- Proposed Changes to General Regulations for Air Pollution Sources (Chapter 173-400 WAC); and
- Proposed Submittal of Parts of the Changed Regulations to the Washington State Implementation Plan

Ecology will hold two consecutive public hearings on June 27, 2012. The first hearing will be on proposed changes to Ecology's General Regulations for Air Pollution Sources (Chapter 173-400 WAC). The second hearing will be on including parts of the changed rule in the State Implementation Plan (SIP). The first hearing will begin at 6:30 p.m. Immediately after it closes, the second hearing will start.

General Regulations for Air Pollution Sources contain Ecology's general requirements for new or modified industrial sources of air pollution. They regulate both criteria pollutants (pollutants for which the federal Environmental Protection Agency (EPA) has set health-based standards) and toxic air pollutants.

The SIP is a statewide plan for meeting and continuing to meet federal air quality standards.

Purpose of the rule changes

The rule changes are intended to meet the requirements of Section 110, Part C and Part D, of the Federal Clean Air Act. They:

- Clarify that the SIP applies to the six air contaminants for which EPA has established federal air quality standards, their precursors, and those air contaminants regulated under Part C Title I of the Federal Clean Air Act.

- Help emitters comply with the rule through better access to references, improved readability, and better understanding of regulations and permitting requirements.

Purpose of the SIP revision

The SIP revision is needed to keep the contents of the SIP up-to-date with the most recent rules.

How to review the proposals

Both the rule and SIP proposals are available for public review

and comment at <http://www.ecy.wa.gov/laws-rules/wac173400/1110.html>. You may also request a copy from Linda Whitcher (see the contact information below).

How to comment

You can comment by attending one of the public hearings listed below; or by writing or emailing Linda Whitcher:

Linda Whitcher

(360) 407-6875

P.O. Box 47600

Olympia, WA 98504-7600 linda.whitcher@ecy.wa.gov

The comment period for both the rule changes and the SIP revision will close 5:00 p.m. July 6, 2012.

Public hearings

First hearing: June 27, 2012

6:30 p.m.

Auditorium: ROA-32

Dept of Ecology Headquarters
300 Desmond Drive

Lacey, WA 98503

Second hearing: Immediately following the first hearing

If you need special accommodations, please contact the Air Quality Program at (360) 407-6800 by October 25, 2010. If you have a hearing loss, call 711 for Washington Relay Service. If you have a speech disability, call 877-833-6341.

Date of publication in the Seattle Daily Journal of Commerce, May 24, 2012.

5/24(284491)

SIP Revision: Revised General Air Quality Rule

A State Implementation Plan (SIP) describes how the state implements, maintains, and enforces federal air quality standards.

Washington State has adopted revisions to portions of its general air pollution regulation, Chapter 173-400 of the Washington Administrative Code (WAC). Ecology is proposing to submit the adopted changes to the federal Environmental Protection Agency (EPA) for inclusion in the SIP.

EPA will review the state's submittal and decide whether to approve the changes to the SIP.

Proposed SIP Revision

This SIP update will:

- Replace the old rule language with current language
- Include new sections
- Remove outdated requirements
- Update references to federal requirements
- Renumber sections of the rule

What are the main differences between the revised rule and the one currently in the SIP?

The main differences are in the New Source Review permitting programs:

- The rule currently in the SIP lists the facilities and industries required to apply for a minor new source review permit. If a facility or industry is not on the list, or if an air quality agency Director or control officer determines it does not need a permit, the facility or industry is exempt from permitting. The revised rule no longer lists facilities that need a permit. It now lists emission units and activities that are exempt from permitting requirements. Emission units and activities not on this list require a permit.
- The revised rule contains several streamlining options, including a process for issuing a General Order of Approval and a revised process for permitting portable sources.
- The revised rule also includes Prevention of Significant Deterioration (PSD) and nonattainment area permitting

DATES AND LOCATIONS

Formal comment period:

August 9 – September 20, 2013

Public hearing date:

Wednesday, September 11, 2013
6 p.m.

Location:

Department of Ecology
Headquarters, Auditorium
300 Desmond Drive SE
Lacey, WA 98503

Web site:

http://www.ecy.wa.gov/programs/air/sips/plans/400_rule.htm

Contact information

Anya Caudill
360-407-6630
Anya.caudill@ecy.wa.gov

Special accommodations

If you require special accommodations or need this document in a version 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.

regulations that are intended to meet federal requirements. If EPA approves the PSD regulations, Washington will have its own SIP-approved state PSD program, instead of being delegated authority to issue PSD permits under the federal program. The nonattainment area permitting regulations are needed for permitting in current and potential nonattainment areas.

Local rules and other rules in the SIP

Since the SIP is a statewide plan, other agencies in Washington with air quality jurisdiction participate in the process. Washington's seven local air quality agencies and the Energy Facility Site Evaluation Council (EFSEC) are now in the process of evaluating their rules to determine what may need to be revised. As each agency revises its rules and determines what is required to be included in the SIP, Ecology will provide opportunities for public comment.

Where can you get more information?

The proposed SIP revision and related documents are available for review on Ecology's web site at http://www.ecy.wa.gov/programs/air/sips/plans/400_rule.htm

How can you submit comments?

You can give us your official comments until 5:00 p.m. September 20, 2013 in the following ways:

1. Testify or submit written comments at the public hearing.
2. **Email your comments to: AQComments@ecy.wa.gov**
3. **Mail** comments to:

Department of Ecology
ATTN: Anya Caudill
PO Box 47600
Olympia, WA 98504-7600

How will Ecology respond to comments?

All of the comments we receive will become part of the official record and SIP submittal package. Ecology will compile a summary of oral and written comments received during the comment period and Ecology's response to those comments. For other agencies' regulations, each agency will respond to comments about its own regulation.

For more information

Anya Caudill
Department of Ecology
Air Quality Program
360-407-6630
Anya.Caudill@ecy.wa.gov

[Ecology home](#) > [News](#) > News Release

Washington State Department of Ecology - August 9, 2013

13-203

Changes proposed to statewide air plan; comments wanted

OLYMPIA – The Washington Department of Ecology (Ecology) invites the public to comment on the state's proposed update to portions of the State Implementation Plan (SIP). That is a statewide plan for meeting air quality standards.

In recent years, the state has revised parts of its general air pollution regulation, Chapter 173-400 of the Washington Administrative Code (WAC). Ecology proposes to submit the adopted changes to the U.S. Environmental Protection Agency (EPA) for inclusion in the plan. EPA will review the state's submittal and decide whether to approve the changes to the plan.

This SIP update will:

- Replace the old rule language with current language.
- Include new sections.
- Remove outdated requirements.
- Update references to federal requirements
- Renumber sections of the rule.

You can review [the proposed plan and related documents](#) on Ecology's website.

Ecology is seeking public comments on the proposed plan changes from Friday, Aug. 9, through Sept. 20, 2013. You are also invited to comment on the plan during a public hearing at 6 p.m. Sept. 11 at Ecology headquarters, 300 Desmond Drive SE, Lacey.

Here is how you can submit written comments:

- Email them to AQComments@ecy.wa.gov.
- Mail them to Anya Caudill, Washington Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

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Media Contact: Seth Preston, communications manager, 360-407-6848; 360-584-5744 cell;
seth.preston@ecy.wa.gov

For more information:

[SIP changes and related documents](http://www.ecy.wa.gov/programs/air/sips/plans/400_rule.htm) (www.ecy.wa.gov/programs/air/sips/plans/400_rule.htm)

[Air Quality Program](http://www.ecy.wa.gov/programs/air/airhome.html) (www.ecy.wa.gov/programs/air/airhome.html)

[Ecology's social media](http://www.ecy.wa.gov/about/newmedia.html) (www.ecy.wa.gov/about/newmedia.html)



SHARE



The Public Involvement Calendar is designed to engage the public in our decision-making process. We encourage you to read [Frequently Asked Questions about Effective Public Commenting](#).

Activities that are educational only or are co-sponsored by Ecology may be found under the "More Ecology Events" link in the left column of this page. We invite your [feedback](#) about this Public Involvement Calendar.

If you have special accommodation needs or require documents in alternative format, please contact Ecology at:

- 360-407-6000 (voice)
- 711 (relay service)
- 800-833-6388 (TTY)

Public Hearings, Meetings, Workshops, Open Houses

(Next 21 days. Use the search feature (right) for events beyond 21 days.)

Sep 10 10:30 AM Public Workshop Followed by Public Hearing: Lacey Ambient Air Quality Standards Rule Making, Chapter 173-476 WAC
 Revising Chapter 173-476 WAC, Ambient Air Quality Standards, to make it consistent with federal requirements. [more information](#)

Location: Dept of Ecology Lacey Headquarters
 300 Desmond Drive
 Lacey, WA [Map](#)
Sponsor: Dept of Ecology
 AIR QUALITY PM
Contact: Margo Thompson
 (360) 407-6827 / math461@ecy.wa.gov
 Associated Public Comment Period: Aug 7 - Sep 19

Sep 10 10:30 AM Public Hearing: Lacey Rule Proposal and SIP Revision for Ambient Air Quality Standards Update
 Ecology proposes updates to Washington's Ambient Air Quality Standards. The rule proposal will be published in the Washington State Register on August 21, 2013. If adopted, Ecology proposes to submit this rule to EPA for inclusion into the Washington State Implementation Plan (SIP). The SIP is a statewide plan for meeting air quality standards. [Air Quality Program Rules and Laws](#)

Location: WA State Department of Ecology
 Headquarters Building
 300 Desmond Drive
 Lacey, WA [Map](#)
Sponsor: Dept of Ecology
 AIR QUALITY PM
Contact: Margo Thompson
 (360) 407-6827 / math461@ecy.wa.gov
 Associated Public Comment Period: Aug 7 - Sep 19

Sep 11 5:30 PM Open House Followed by Public Hearing: Seattle The City of Seattle's Shoreline Master Program Comprehensive Update
 The Washington State Department of Ecology seeks public input on Seattle's proposed Shoreline Master Program comprehensive update. [City of Seattle's SMP Comprehensive Update](#)

Location: Seattle City Hall
 Bertha Landes Room
 601 Fifth Avenue
 Seattle, WA [Map](#)
Sponsor: Dept of Ecology
 SHORELND & ENV ASSIST PM
Contact: Joe Burcar
 (425) 649-7145 / jobu461@ecy.wa.gov
 Associated Public Comment Period: Sep 3 - Oct 4



This search feature accesses only decision-making events.

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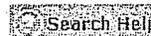
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- Sep 11 6 PM **Public Hearing: Lacey**
State Implementation Plan Revision: Updating Chapter 173-400 WAC in the Washington SIP
 Ecology amended Chapter 173-400 WAC to make it consistent with federal requirements. Ecology is proposing to submit the adopted changes to the federal Environmental Protection Agency (EPA) for inclusion in the State Implementation Plan (SIP). A SIP is a statewide plan for meeting air quality standards. [Air Quality Regulations in Washington's SIP](#)
- Location:** WA State Department of Ecology
 Headquarters Building
 300 Desmond Drive
 Lacey, WA [Map](#)
- Sponsor:** Dept of Ecology
 AIR QUALITY PM
- Contact:** Anya Caudill
 (360) 407-6630 / ACAU461@ecy.wa.gov
- Associated Public Comment Period:** Aug 9 - Sep 20
- Sep 17 4 PM - 8 PM **Public Meeting: Longview**
Millennium Bulk Terminals - Longview Environmental Impact Statement Scoping
 Millennium Bulk Terminals has proposed a coal export terminal at the former Reynolds Aluminum smelter near Longview. The scope of the environmental impact statement (EIS), or what the EIS should analyze, is open for public comment. The proposed terminal would receive coal by rail, stockpile and blend coal on-site, and load coal onto ships for export. The proposed facility would handle up to 44 million metric tons of coal per year. [Joint EIS Scoping](#)
- Location:** Cowlitz Expo Center
 1900 7th Ave.
 Longview, WA [Map](#)
- Sponsor:** Dept of Ecology
 SOUTHWEST REGIONAL DIR
- Contact:** Diane Butorac
 (360) 407-6594 / dbut461@ecy.wa.gov
- Associated Public Comment Period:** Aug 16 - Nov 18
Associated Public Meeting: Sep 25
Associated Public Meeting: Oct 1
Associated Public Meeting: Oct 9
Associated Public Meeting: Oct 17
- Sep 24 1:30 PM **Public Hearing: Bellevue**
Chapter 173-224 - Wastewater Discharge Permit Fee Proposed Rule Amendments
 Increase fees for some categories of permit fee payers for state fiscal years 2014 and 2015. [Wastewater Discharge Permit Fees](#)
- Location:** Dept of Ecology Northwestern Regional Office
 C1
 3190 160th Avenue SE
 Bellevue, WA [Map](#)
- Sponsor:** Dept of Ecology
 WATER QUALITY PM
- Contact:** Bev Poston
 (360) 407-6425 / bpos461@ecy.wa.gov
- Sep 24 1:30 PM **Public Hearing: Lacey**
Chapter 173-224 - Wastewater Discharge Permit Fee Proposed Rule Amendments
 Increase fees for some category of permit fee payers for state fiscal years 2014 and 2015 [Wastewater Discharge Permit Fees](#)
- Location:** Dept of Ecology Lacey Headquarters
 0A-05
 300 Desmond Drive
 Lacey, WA [Map](#)
- Sponsor:** Dept of Ecology
 WATER QUALITY PM
- Contact:** Bev Poston
 (360) 407-6425 / bpos461@ecy.wa.gov
- Associated Public Comment Period:** Aug 21 - Oct 1
- Sep 24 1:30 PM **Public Hearing: Spokane**

NEWS & NOTES

MTCA cleanup sites and federally required air quality permits

This article addresses two important topics for MTCA cleanup sites you should be aware of:

- Clarification of the MTCA permitting exemption related to air quality permits.
- Current opportunity to comment on proposed changes to the federally approved state plan for meeting federal clean air act requirements.

Clarification of the MTCA permitting exemption for air quality permits required by the federal Clean Air Act

In 2010, Ecology's Air Quality Program modified its General Regulation to incorporate the exemption from meeting the procedural requirements of the permitting program for cleanup projects under RCWs 70.94 and 70.105D. Based on a review of the exemption, the agency has determined that the full implementation of the exemption would prevent federal approval of the state air quality regulations into the Washington State Implementation Plan (SIP).

The SIP is a federally required state plan to ensure Washington has the legal authority to assure the air quality in Washington meets the National Ambient Air Quality Standards (NAAQS) for lead, ozone, particles, carbon monoxide, nitrogen dioxide, and sulfur dioxide set by the Environmental Protection Agency (EPA). These pollutants are also referred to as criteria pollutants.

Ecology has now clarified the scope of the cleanup project exemption in RCWs 70.94 and 70.105D related to federal permits and the SIP. This determination applies solely to emissions into the air from remedial actions at MTCA cleanup sites, and is not intended to apply to any other circumstance.

The application of the permit exemption found in RCW 70.105D.090(1) to air emissions from remedial actions at MTCA cleanup sites that would otherwise require Prevention of Significant Deterioration (PSD) permits, federal Clean Air Act Title V Air Operating Permits (AOPs), or Nonattainment New Source Review (NSR) permits would result in the state's loss of federal authorization to implement these federal permitting requirements in Washington.

Experience has shown that cleanup projects rarely meet the requirements to obtain one of these permits.

In addition to clarifying the permitting requirements for cleanup projects that could be required to obtain federally required air quality permits, Ecology has clarified the air quality permitting requirements for other cleanup projects as they relate to the SIP. Until exemption language for the smaller sources of criteria pollutants and their precursors is approved by EPA into the Washington SIP, cleanup projects are required to obtain air quality permits known as Notice of Construction (NOC) approvals or Order of Approval to Construct (OAC). These permits are issued by the local air quality permitting agency. A map of their jurisdictions with contact information for those agencies can be found at <http://www.ecy.wa.gov/programs/air/local.html>.

The current exemption language in WAC 173-400-110 must be revised prior to submittal to EPA to clarify how exempt sources meet substantive and procedural requirements of the federal Clean Air Act even if a state permit is not required. This would be submitted to EPA as a revision to the SIP. A public comment period would be held prior to submitting this revision to EPA. Once the revised exemption has been approved by EPA as part of the SIP, then the procedural requirements (primarily obtaining a NOC permit) would no longer need to be followed. But the substantive requirements that would have been contained in those permits will still have to be met.

For more information on the permitting of sources of air pollution, please contact Alan Newman with the Air Quality Program at alan.newman@ecy.wa.gov or see http://www.ecy.wa.gov/programs/air/permit_register/NewPermitsPage.html.

Comments sought on changes to statewide air quality plan

At this time, Ecology is proposing to submit portions of the current Chapter 173-400 WAC, General Air Quality Regulations, to the Environmental Protection Agency (EPA) for approval in the Washington State Implementation Plan (SIP). Ecology proposes to include in the SIP only those portions of the rule that are required under the federal Clean Air Act. Those portions of the rule that are

approved into the SIP by EPA become federally enforceable by EPA and citizens.

The proposed SIP update does not contain the RCW 70.105D exemption for cleanup projects from procedural permitting requirements contained in WAC 173-400-110. In order to include this exemption in the SIP, Ecology needs to revise the rule in regard to cleanup projects and it must be approved by EPA as explained above.

Ecology will accept public comments on the proposal during a public comment period that continues through Sept. 20, 2013. A public hearing will be held at 6 p.m. Wednesday, Sept. 11, at Ecology's headquarters at 300 Desmond Drive SE, Lacey.

The SIP submittal package will be available for public review on Ecology's website during the comment period:

http://www.ecy.wa.gov/programs/air/sips/plans/400_rule.htm

You can subscribe to receive updates on this project at <http://listserv.wa.gov/cgi-bin/wa?A0=ECY-SIP-UPDATE-WAC-173-400>.

For answers to questions about this SIP update, contact Anya Caudill at anya.caudill@ecy.wa.gov.

New Sediment Management Standards take effect September 1

The Department of Ecology has adopted changes to Chapter 173-204 WAC, Sediment Management Standards (SMS). Changes focus on requirements for cleanup of contaminated sediments.

The changes were published in the Washington State Register on March 20, 2013, and go into effect September 1, 2013. You can see the rule adoption notice here: <https://fortress.wa.gov/ecy/publications/summarypages/1309043.html>

You can find more information about the revised rule, including the Concise Explanatory Statement and Response to Comments, at <http://www.ecy.wa.gov/programs/tcp/regs/2011-SMS/2011-SMS-hp.html>

Ecology is planning outreach activities to communicate information regarding the rule changes, including information about the draft sediment cleanup guidance currently being developed. A public comment period for the guidance is being planned and will be announced later.

For answers to questions about the SMS rule contact Chance Asher at chance.asher@ecy.wa.gov.

Ecology encourages and welcomes your feedback on the work we're doing. Please continue to visit www.ecy.wa.gov for information on these and related issues.

GLOSSARY

Agreed order - A legal agreement with Ecology to make sure the cleanup meets the standards of Washington State's cleanup law, the Model Toxics Control Act (MTCA).

Cleanup action plan (CAP) - A document that describes the selected cleanup method(s) and specifies cleanup standards and other requirements. It is based on information and technical analyses generated during the RI/FS and consideration of public comments and community concerns. A draft of the CAP (DCAP) is made available for public review and comment before finalizing.

Comment period - A time period during which the public can review and comment on various documents and Ecology or EPA actions. For example, a comment period is provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans. Also, a comment period is held to allow community members to review and comment on draft feasibility studies.

Consent decree - A formal legal agreement that is filed with a court. It describes studies and/or cleanup work to be done at a site and the terms under which that work is to be done.