

**WSR 24-08-013**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**ENVIRONMENTAL AND**  
**LAND USE HEARINGS OFFICE**

[Filed March 22, 2024, 11:43 a.m.]

Subject of Possible Rule Making: The environmental and land use hearings office (ELUHO) commences this inquiry to consider possible corrections and changes to certain sections of chapter 371-08 WAC, the pollution control hearings board's (PCHB) procedural rules governing the conduct of business before PCHB, including rules governing formal proceedings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.21B.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: PCHB's last review of chapter 371-08 WAC was in 2023. Since these rules became effective in 2023, PCHB board members, administrative appeal judges, and interested persons who conduct business for PCHB have identified a number of areas to improve and clarify within PCHB's procedural rules in chapter 371-08 WAC. Based on the number of areas needing review, PCHB finds it appropriate to initiate this rule making to review its procedural rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Agency study; and ELUHO will provide opportunity for initial comments, may schedule one or more workshops, and will provide the opportunity to provide additional written comments on draft rules and proposed CR-102 prior to adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jamie Merly, 1111 Israel Road S.W., Suite 301, Tumwater, WA 98501, phone 360-485-1282, fax 360-586-2253, email jamie.merly@eluhwa.gov, website www.eluhwa.gov.

March 22, 2024  
Jamie Merly, Director  
Legal and Administrative Services