

# FINAL BILL REPORT

## SSB 6466

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Synopsis as Enacted

**Brief Description:** Allowing construction that has a minor impact on air quality to proceed without a notice of construction or review approval from the department of ecology.

**Sponsors:** Senate Committee on Ecology & Parks (originally sponsored by Senators Spanel, Swecker, Sutherland, Morton, Bauer, A. Anderson and Fraser).

**Senate Committee on Ecology & Parks**

**House Committee on Agriculture & Ecology**

**Background:** A "new source" is any construction or modification at a facility that increases the amount of air pollution being emitted or results in a new contaminant being emitted. The Washington Clean Air Act requires that new sources submit a prior notice of construction to the Department of Ecology or the appropriate local air authority for review. The reviewing agency then determines whether the construction/modification will meet state regulatory requirements. These requirements include the "best available control technology" (BACT), which is a regulated emission standard that specifies the type of technology to be used. Residences are currently exempt from the notice and review requirements.

**Summary:** A new exemption from the notice of construction and review requirements is created for "de minimis" new sources. "De minimis" is defined as a trivial level of emission that does not pose a threat to human health or the environment. The Department of Ecology must define by rule what new sources are considered de minimis, and can define them either by category, size or emission threshold.

The section on BACT requirements is rewritten. The notice of construction approval must include a determination that the new source will achieve BACT standards, or a more stringent federal standard as promulgated. The state's authority to develop more stringent standards is not impaired.

**Votes on Final Passage:**

Senate	49	0
House	93	0

**Effective:** June 6, 1996