

**WSR 23-07-092**  
**PROPOSED RULES**  
**SPOKANE REGIONAL**  
**CLEAN AIR AGENCY**

[Filed March 17, 2023, 7:11 a.m.]

Original Notice.

Proposal is exempt under RCW 70A.15.2040.

Title of Rule and Other Identifying Information: Amend Spokane Regional Clean Air Agency (SRCAA) Regulation I, Articles I, II, III, IV, V, VI, VIII, and X.

Hearing Location(s): On Thursday, June 1, 2023, at 9:30 a.m., in person at 1610 South Technology Boulevard, #101, Spokane, WA 99224; or online, Zoom URL link provided on board meeting agenda. Comment period from May 1 through June 1, 2023, ends at close of public hearing.

Date of Intended Adoption: June 1, 2023.

Submit Written Comments to: Margee Chambers, 1610 South Technology Boulevard, #101, Spokane, WA 99224, email [PublicComment@spokanecleanair.org](mailto:PublicComment@spokanecleanair.org), fax 509-477-6828, by June 1, 2023, close of hearing; submit comments by May 23, 2023, to be included in board packet.

Assistance for Persons with Disabilities: Contact Mary Kataoka, phone 509-477-4727 ext. 100, fax 509-477-6828, email [mkataoka@spokanecleanair.org](mailto:mkataoka@spokanecleanair.org), by May 29, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The 2020 legislative change to Title 70 RCW renumbered the Washington Clean Air Act from chapter 70.94 RCW to chapter 70A.15 RCW. SRCAA is amending Regulation I to update the RCW citing as well as to correct typographical errors; provide clarification; align the wood heating exemption to RCW 70A.15.3580; separate late fee from penalty fee; update formatting in Article III and VIII; and update adoption by reference. The amendments will not change fees or add new requirements for businesses or residents to meet.

Reasons Supporting Proposal: The proposed amendments are necessary to support the agency's implementation of the Washington Clean Air Act. The amendments will allow the agency to meet the state legislature's deadline for agencies to update the RCW citing in agency regulations. The amendments' anticipated effects include improved readability, accurate citing, and alignment of SRCAA's local regulations to state rules and regulations.

Statutory Authority for Adoption: Chapter 70A.15 RCW.

Statute Being Implemented: Chapter 70A.15 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: SRCAA, governmental.

Name of Agency Personnel Responsible for Drafting: Margee Chambers, SRCAA, 509-477-4727; Implementation: April Westby, SRCAA, 509-477-4727; and Enforcement: Lori Rodriguez, SRCAA, 509-477-4727.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. A cost-benefit analysis under RCW 34.05.328 does not apply to local air pollution control agencies per RCW 70A.15.2040.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 70A.15.2040.

Explanation of exemptions: Chapter 19.85 RCW applies to state agencies. Under RCW 70A.15.2040, local air pollution control agencies are not state agencies. SRCAA is a local air pollution control agency.

Scope of exemption for rule proposal:

Is fully exempt.

March 16, 2023

Margee Chambers

SIP Planner/Rule Writer

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 23-09 issue of the Register.