

WSR 18-13-020**PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION**

[Docket A-180513—Filed June 8, 2018, 9:47 a.m.]

Subject of Possible Rule Making: The utilities and transportation commission (commission) commences this inquiry to amend chapter 480-04 WAC to conform with changes to the Public Records Act and current process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 80.04.160, and 81.04.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature made significant changes to the Public Records Act in the 2017 session including, but not limited to, the costs and fees state agencies can recover for responding to requests for public records. In addition, the attorney general's office has revised its model rules for public records. The commission's rules were last revised in 2006 and do not reflect these and other changes to the law or the commission's current processes for responding to public records.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mark L. Johnson, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, phone 360-664-1160, email records@utc.wa.gov, web site www.utc.wa.gov.

Additional comments: Written comments must be filed with the commission no later than 5 p.m., July 10, 2018. Comments must be provided in electronic format. You may submit comments via the commission's web portal at <http://www.utc.wa.gov/e-filing> or by electronic mail to the commission's records center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (A-180513).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is mailing or delivering an electronic copy to the commission's records center on a thumb drive, CD, or DVD in .pdf format (created using Adobe Acrobat or comparable software) or in Microsoft Word. Include all of the information requested above. The commission will post all comments on its web site. The web site is located at <http://www.utc.wa.gov/180513>. Opportunity for further comment is anticipated. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you wish to receive further information on this rule making you may (1) call the commission's records center at 360-664-1234, or (2) email the commission at records@utc.wa.gov. When contacting the commission, please refer to Docket A-180513 to ensure that you are placed on the appropriate service list. Questions may be addressed to Gregory Kopta, 360-664-1355 or email gregory.kopta@utc.wa.gov.

NOTICE

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING - The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but wish to remain on the mailing list for this rule making please advise the records center by sending an email with your name, address, telephone, referencing Docket A-180513, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site <http://www.utc.wa.gov/180513>. **THOSE INTERESTED PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

June 8, 2018
Mark L. Johnson
Executive Director
and Secretary

WSR 18-13-025**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

(Podiatric Medical Board)

[Filed June 8, 2018, 2:27 p.m.]

Subject of Possible Rule Making: WAC 246-922-230 Prohibited transactions, the podiatric medical board (board) is considering amendments regarding prohibited transactions by podiatric physicians and surgeons.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.22.005, 18.22.015, and 18.130.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: During recent rule making, the board amended WAC 246-922-010, that included language in a definition that prohibits podiatric physicians and surgeons from adjusting or modifying prefabricated orthotic devices and selling them to customers as custom fabricated or custom made devices. This language is not appropriate for a definition and was deleted.

At the rule adoption hearing during public testimony, the board was requested to refile the CR-102 to relocate the stricken sentences to another section of rule as they provide important protections for patients and set clear practice parameters for podiatric physicians. No changes were made to those rules as a result of this comment because, although the board agreed that the language prohibiting the marketing of adjusted prefabricated devices as custom devices is important, making such a substantive change at that time would require restarting the rule project from the CR-101 process. The board did, however, authorize rule-making process to address this concern at a later date. The board is now addressing this concern.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Gragg, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-4941, fax 360-236-2901, TTY 360-833-6388 or 711, email susan.gragg@doh.wa.gov, web site www.doh.wa.gov.

Additional comments: Interested persons may sign up for the podiatric medical board's interested parties' list (Gov-Delivery) at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. All rule-making notices will be emailed via GovDelivery and program email lists. All interested parties are invited to participate in public rules meetings and are encouraged to submit written comments for consideration.

June 8, 2018
Blake T. Maresh
Executive Director

WSR 18-13-048

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed June 12, 2018, 1:22 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-101-3170 Group training home, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 71A.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is planning to amend WAC 388-101-3170 in order to meet the statutory requirements of RCW 70.128.030. Facilities approved and certified under chapter 71A.22 RCW, Training centers and homes, are exempt from requirements of chapter 70.128 RCW, Adult family homes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The developmental disabilities administration and the aging and long-term support administration will collaborate and coordinate rules related to group training homes.

Process for Developing New Rule: The department of social and health services (DSHS) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Claudia Baetge, Long-Term Care Policy Program Manager, Residential Care Services, P.O. Box 45600, Olympia, WA 98594-5600 [98504-5600], phone 360-725-2589, fax 360-438-7903, email baetgcf@dshs.wa.gov.

June 12, 2018

Katherine I. Vasquez
Rules Coordinator

WSR 18-13-067

PREPROPOSAL STATEMENT OF INQUIRY BELLEVUE COLLEGE

[Filed June 14, 2018, 4:08 p.m.]

Subject of Possible Rule Making: Chapter 132H-169 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW and RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature has mandated new language; Bellevue College seeks to charge a fee for electronic copies of public records.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington State Public Records Act, chapter 42.56 RCW.

Process for Developing New Rule: Proposed changes are being presented to the campus community for feedback and a public meeting will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kathi Hutchins, 3000 Landerholm Circle S.E., phone 425-564-2451, email Kathi.hutchins@bellevuecollege.edu.

June 14, 2018
Donna Sullivan
Executive Assistant
to the President

WSR 18-13-086

PREPROPOSAL STATEMENT OF INQUIRY HEALTH CARE AUTHORITY

[Filed June 18, 2018, 10:49 a.m.]

Subject of Possible Rule Making: WAC 182-553-500 Home infusion therapy and parenteral nutrition program— Coverage, services, limitations, prior authorization, and reimbursement; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is revising this section to allow for coverage of continuous glucose monitoring for adults and pregnant woman who meet certain criteria. This revision aligns with a recent coverage decision by the health technology clinical committee. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Centers for Medicare and Medicaid.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Vance Taylor, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, TTY 800-848-5429, email vance.taylor@hca.wa.gov, web site www.hca.wa.gov/about-hca/rulemaking.

June 18, 2018
Wendy Barcus
Rules Coordinator

The public can also participate in discussions of RAC. A schedule of these meetings can be found at www.lni.wa.gov/ClaimsIns/Insurance/Reduce/Qualify/AdvComm/default.asp.

Employers covered by labor and industries will receive notice of the proposed changes and public hearings.

Labor and industries is planning to hold formal public hearings in October and November 2018, in Everett, Spokane, Richland, Vancouver, Tukwila, and Tumwater.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jo Anne Attwood, P.O. Box 44148, Olympia, WA 98504-4148, phone 360-902-4777, fax 360-902-4988, TTY 360-902-5797, email JoAnne.Attwood@lni.wa.gov, web site www.lni.wa.gov.

June 19, 2018
Joel Sacks
Director

WSR 18-13-096
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 19, 2018, 9:47 a.m.]

Subject of Possible Rule Making: 2019 industrial insurance premium rates: Chapter 296-17 WAC, General reporting rules, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance and chapter 296-17B WAC, Retrospective rating for workers' compensation insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.16.035, 51.04.020(1), and 51.18.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Labor and industries is required by law to establish and maintain a workers' compensation classification plan, and to set premium rates that are: (1) The lowest necessary to maintain actuarial solvency of the accident and medical aid funds; and (2) designed to attempt to limit fluctuations in premium rates. The plan must be consistent with recognized principles of insurance. Labor and industries is also required by law to offer retrospective rating plans to employers as a further incentive to encourage workplace safety and prevent employee injury.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local, or federal agency regulates this subject.

Process for Developing New Rule: Premium rates for each classification are developed in part from the past loss experience of employers subject to the classification, changes in benefit levels mandated by law or court decisions, medical inflation, economic and business trends and financial markets. Labor and industries works with the workers' compensation advisory committee (WCAC) and retrospective rating advisory committee (RAC) as changes are developed.

The public can participate in these discussions by attending the WCAC meetings. A schedule of these meetings is available at www.lni.wa.gov/ClaimsIns/Insurance/Learn/Wcac/WcacMtgMin/Default.asp.

WSR 18-13-098

PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed June 19, 2018, 10:01 a.m.]

Subject of Possible Rule Making: Chapter 392-144 WAC, School bus driver qualifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.160.210.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering revise [revising] chapter 392-144 WAC for the purpose of defining school bus driver inservice requirements, the hearing process for school bus drivers, and disqualifying requirements. OSPI is further considering adding language to allow districts to share drivers. Additional revisions may be made to ensure all requirements are up-to-date with federal and state regulations.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Glenn Gorton, Director, OSPI, Student Transportation, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6121, TTY 360-664-3631, email glenn.gorton@k12.wa.us, web site k12.wa.us/transportation.

June 19, 2018
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 18-13-099**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 19, 2018, 10:02 a.m.]

Subject of Possible Rule Making: Chapter 392-151 WAC, Traffic safety—School safety patrol.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.61.385.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 392-151 WAC implements RCW 46.61.385 and provides safe operation of school patrols. The office of superintendent of public instruction (OSPI) is considering revising this chapter to bring the school safety patrol rules up-to-date with current safety standards.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Glenn Gorton, Director, OSPI, Student Transportation, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6121, TTY 360-664-3631, email glenn.gorton@k12.wa.us, web site k12.wa.us/transportation.

June 19, 2018
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 18-13-102**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 19, 2018, 1:38 p.m.]

Subject of Possible Rule Making: Chapter 392-153 WAC, Traffic safety—Driver education.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.220.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering revising chapter 392-153 WAC to conform it with ESHB 1481 (2017). ESHB 1481 requires OSPI and the department of licensing (DOL) to develop a core curriculum to be followed by school districts, private schools, and commercial driving schools. DOL, in consultation with OSPI, must develop and administer a certification process. In addition, technical changes may be made to reorganize and streamline the chapter.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: OSPI will collaborate with DOL for this rule making.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new,

amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Glenn Gorton, Director, OSPI, Student Transportation and Traffic Safety Education, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6121, TTY 360-664-3631, email glenn.gorton@k12.wa.us, web site k12.wa.us/trafficSafety; or Patti Enbody, Program Supervisor, OSPI, Student Transportation and Traffic Safety Education, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6122, TTY 360-664-3631, email patti.enbody@k12.wa.us, web site k12.wa.us/trafficSafety.

June 19, 2018
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 18-13-103**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter R 2018-08—Filed June 19, 2018, 2:12 p.m.]

Subject of Possible Rule Making: Variable life and variable annuity resident license standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.18A.070, 48.02.060 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amend WAC 284-17-015 to remove the reference to the financial industry regulatory authority and replace it with the department of financial institutions in order to align with RCW 48.18A.060 and to provide increased clarity [clarity] of licensing requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The office of the insurance commissioner is working with the department of financial institutions to implement consistent language and requirements.

Process for Developing New Rule: Submit written comments by July 20, 2018.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Zachary Mason, P.O. Box 40258, Olympia, WA 98504-0258, phone 360-725-7170, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, web site www.insurance.wa.gov.

June 19, 2018
Mike Kreidler
Insurance Commissioner

WSR 18-13-105
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2018-03—Filed June 19, 2018, 2:17 p.m.]

Subject of Possible Rule Making: Updating statute citations concerning fraternal mutual property insurers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this proposed rule is to amend WAC 284-36-010 regarding domestic fraternal mutual property insurers' agents and directors. The current rule cites RCW 48.36.410 that has been repealed. Therefore, this section should be amended to reference the current statute, RCW 48.36A.390.

Process for Developing New Rule: Submit written comments by July 31, 2018.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Hailey Hamilton, P.O. Box 40258, Olympia, WA 98504, phone 360-725-7100, fax 360-582-3109, TTY 360-586-0241 or 360-75-7087 [360-725-7087], email RulesCoordinator@oic.wa.gov, web site <https://www.insurance.wa.gov>.

June 19, 2018
 Mike Kreidler
 Insurance Commissioner

WSR 18-13-107
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 19, 2018, 3:46 p.m.]

Subject of Possible Rule Making: Chapter 296-14 WAC, Industrial insurance, pension discount rates (PDR) for the state fund and self-insurance.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.44.070(1), 51.44.080, chapter 282, Laws of 2018 (SB 6393).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: PDR is the interest rate used to account for the time value of money when evaluating the present value of future pension payments. The purpose of this rule making is to lower the PDR using different assumptions for annual investment returns for the reserve funds for self-insured and state fund pension claims, and to align with recent department requested legislation passed in the 2018 session allowing for the department to use different methods of calculating state fund and self-insured liabilities when determining the annuity values of a pension based on the rates of mortality, disability, remarriage, and interest.

This rule making will consider reducing the pension discount rate to 4.5 percent for the state fund and to 6.0 percent for self-insurance.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Parties interested in these rules may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments and/or testimony during the public hearing and comment process. Public hearings will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Suzy Campbell, Legal Services, P.O. Box 44250, Olympia, WA 98504-4250, phone 360-902-5003, fax 360-902-4960, TTY 360-902-4252, email Suzanne.campbell@lni.wa.gov.

June 19, 2018
 Joel Sacks
 Director

WSR 18-13-112
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF ECOLOGY

[Order 18-08—Filed June 20, 2018, 9:19 a.m.]

Subject of Possible Rule Making: Chapter 173-430 WAC, Agricultural burning, this rule implements the agricultural burning program in Washington.

We are proposing to:

- Revise the rule to address inadequacies raised in the Washington state auditor's office management letter dated October 24, 2016.
- To avoid confusion, incorporate into this rule the existing agriculture [agricultural] burning fee schedule and permit fee distribution.
- Make updates, technical clarifications, correct errors, and improve readability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.94 RCW, RCW 70.94.6524, 70.94.6528.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: See subject of possible rule making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Local clean air agencies implement chapter 173-430 WAC for the agriculture [agricultural] burning permit system in their jurisdiction. To see a list, visit: <https://ecology.wa.gov/About-us/Our-role-in-the-community/Partnerships-committees/Clean-air-agencies>.

Ecology or local clean air agencies can delegate agricultural burning permit program to conservation districts, counties, or fire protection agencies.

Ecology air quality program will notify these agencies to offer them opportunities to participate in the stakeholder meetings.

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Caroline (Ying) Sun, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, phone 360-407-7528, people with speech disability may call TTY 877-833-6341, people with impaired hearing may call Washington relay service 711, email Caroline.Sun@ecy.wa.gov, web site <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-430>, sign up to receive email notices <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECY-AQ-RULE-AND-SIP-UPDATES&X=OF7D460E8D17CE2B31F&Y=egui461%40ecy.wa.gov>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

June 20, 2018
Stuart A. Clark
Air Quality Program Manager

WSR 18-13-113

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF ECOLOGY

[Order 18-03—Filed June 20, 2018, 9:23 a.m.]

Subject of Possible Rule Making: Chapter 173-405 WAC, Kraft pulping mills; chapter 173-410 WAC, Sulfite pulping mills; and chapter 173-415 WAC, Primary aluminum plants.

These three rules set statewide air quality requirements and standards for kraft pulping mills, sulfite pulping mills and primary aluminum plants.

We are proposing the following changes in this rule making:

- Ecology previously revised chapter 173-400 WAC to comply with EPA's direction in the Startup Shutdown Malfunction State Implementation Plan Call (SSM SIP Call) (80 F.R. 33840). This rule making harmonizes chapters 173-405, 173-410 and 173-415 WAC with chapter 173-400 WAC for the SSM SIP call related changes.
- Possibly make other changes to be consistent with federal requirements.
- Make updates, technical clarifications, correct errors, and improve readability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.94 RCW, RCW 70.94.152, 70.94.331, 70.94.395.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: See subject of possible rule making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Ecology will communicate with, and seek input from, the federal Environmental Protection Agency (EPA) to

ensure compliance with EPA's decision published on May 22, 2015 (80 F.R. 33840).

Process for Developing New Rule: Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (chapter 34.05 RCW).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Caroline (Ying) Sun, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, phone 360-407-7528. People with speech disability may call TTY 877-833-6341. People with impaired hearing may call Washington relay service 711, email Caroline.Sun@ecy.wa.gov, web site <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-405-410-415>, sign up to receive email notices <http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECY-AQ-RULE-AND-SIP-UPDATES&X=OF7D460E8D17CE2B31F&Y=egui461%40ecy.wa.gov>.

Additional comments: Interested parties can stay informed about the rule making and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

June 20, 2018
Stuart A. Clark
Air Quality Program Manager