

WSR 23-03-057
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed January 11, 2023, 11:53 a.m., effective February 11, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Southwest clean air agency (SWCAA) 400-025 Adoption of Federal Rules. The proposed rule changes update the adoption by reference date for federal regulations cited in other sections of SWCAA 400.

SWCAA 400-030 Definitions. The proposed rule change updates the definition for volatile organic compound.

SWCAA 400-040 General Standards for Maximum Emissions. The proposed rule changes make administrative edits and remove "A" reference in subsection (1)(f).

SWCAA 400-045 Permit Application for Nonroad Engines. The proposed rule changes revise the explanation of application fees.

SWCAA 400-070 General Requirements for Certain Source Categories. The proposed rule changes remove affirmative new source review applicability citations from subsection (12), add a pool heater exemption in subsection (13)(b), adopt the federal plan found in 40 C.F.R. 62 Subpart 000, and make administrative edits.

SWCAA 400-072 Emission Standards for Selected Small Source Categories. The proposed rule changes add an Environmental Protection Agency test method citation for small boilers/heaters, add gasoline to list of allowable fuels for emergency service engines, add a 40 C.F.R. 60 Subpart JJJJ citation for emergency service engines, and make administrative edits.

SWCAA 400-100 Registration Requirements. The proposed rule changes revise the description of registration fees and make administrative edits.

SWCAA 400-101 Emission Units Exempt from Registration Requirements. The proposed rule changes add registration exemptions for gas fired rooftop comfort heating units and gas fired freeze protection units and make administrative edits.

SWCAA 400-105 Records, Monitoring and Reporting. The proposed rule changes change term "source" to "stationary source" in selected sections to improve clarity.

SWCAA 400-106 Emission Testing and Monitoring at Air Contaminant Sources. The proposed rule changes revise emission test report submission requirements and make administrative edits.

SWCAA 400-109 Air Discharge Permit Applications. The proposed rule changes add a section specifying equipment subject to mandatory permitting, add exemptions for gas fired rooftop comfort heating units and gas fired freeze protection units, and make administrative edits.

SWCAA 400-110 Application Review Process for Stationary Sources (New Source Review). The proposed rule changes revise application completeness criteria to include applicable fees and make administrative edits.

SWCAA 400-115 Standards of Performance for New Sources. The proposed rule changes remove the adoption exemption for 40 C.F.R. 60 Subpart JJJJ, revise the adoption exemption for 40 C.F.R. 60 Subparts TTTT and UUUUa, and make administrative edits.

SWCAA 400-200 Vertical Dispersion Requirement, Creditable Stack Height and Dispersion Techniques. The proposed rule changes make administrative edits.

SWCAA 400-290 Severability. The proposed rule changes revise existing language for greater consistency with similar language in other statutes.

SWCAA 400 Appendix C - FEDERAL STANDARDS ADOPTED BY REFERENCE. The proposed rule changes update the lists of adopted federal regulations.

Citation of Rules Affected by this Order: Amending SWCAA 400-025, 400-030, 400-040, 400-045, 400-070, 400-072, 400-100, 400-101, 400-105, 400-106, 400-109, 400-110, 400-115, 400-200, 400-290, 400 Appendix C.

Statutory Authority for Adoption: RCW 70A.15.2040(1).

Adopted under notice filed as WSR 22-19-080 on September 20, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 16, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 16, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 16, Repealed 0.

Date Adopted: January 5, 2023.

Uri Papish
Executive Director

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 23-05 issue of the Register.