

WSR 25-05-011
PERMANENT RULES
SOUTHWEST CLEAN
AIR AGENCY

[Filed February 7, 2025, 8:42 a.m., effective March 10, 2025]

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 changes add a definition for "hazardous air pollutant" and revise the definition for "nonroad engine."

SWCAA 400-045 Permit Application for Nonroad Engines, the proposed rule changes revise stationary engine exceptions.

SWCAA 400-046 Application Review Process for Nonroad Engines, the proposed rule changes remove the 40 C.F.R. 89 reference in SWCAA 400-046 (2)(c) and recordkeeping requirements for engine location in SWCAA 400-046(7).

SWCAA 400-070 General Requirements for Certain Source Categories, the proposed rule changes update the federal regulation citation in SWCAA 400-070 (6)(c).

SWCAA 400-072 Emission Standards for Selected Small Source Categories, the proposed rule changes revise complaint reporting sections for consistency (business vs. calendar days), clarify the definition of heater in SWCAA 400-072 (5)(b), add a maximum combined horsepower limit to SWCAA 400-072 (5)(c), modify emergency use recordkeeping requirement in SWCAA 400-072 (5)(c), remove setback requirement from SWCAA 400-072 (5)(d), and make administrative edits.

SWCAA 400-075 Emission Standards for Stationary Sources Emitting Hazardous Air Pollutants, the proposed rule changes add a reference to the Administrator of EPA in SWCAA 400-075 (5)(b).

SWCAA 400-099 Per Capita Fees, the proposed rule changes revise RCW citations from "70.94" to "70A.15."

SWCAA 400-100 Registration Requirements, the proposed rule changes clarify the applicability of registration requirements.

SWCAA 400-105 Records, Monitoring and Reporting, the proposed rule changes add "hazardous air pollutants" to the list of pollutants in SWCAA 400-105(1) and remove the FCAA Section 112 citation.

SWCAA 400-115 Standards of Performance for New Sources, the proposed rule changes update the list of new source performance standards adoption exceptions.

SWCAA 400-171 Public Involvement, the proposed rule changes clarify synthetic minor applicability and website publication of public notice.

SWCAA 400-200 Vertical Dispersion Requirement, Creditable Stack Height and Dispersion Techniques, the proposed rule changes revise SWCAA 400-200(1) applicability to exclude domestic hot water units.

SWCAA 400 Appendix C—FEDERAL STANDARDS ADOPTED BY REFERENCE, the proposed rule changes update the informational list of adopted federal regulations.

Citation of Rules Affected by this Order: Amending SWCAA 400-025, 400-030, 400-045, 400-046, 400-070, 400-072, 400-075, 400-099, 400-100, 400-105, 400-115, 400-171, 400-200, and 400 Appendix C.

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

Adopted under notice filed as WSR 24-21-076 on October 15, 2024.

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 14, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 14, 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 14, Repealed 0.

Date Adopted: February 6, 2025.

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 25-07 issue of the Register.