

WSR 25-06-090
PROPOSED RULES
NORTHWEST CLEAN
AIR AGENCY

[Filed March 5, 2025, 9:41 a.m.]

Original Notice.

Proposal is exempt under RCW 70A.15.2040(1).

Title of Rule and Other Identifying Information: Regulation of the Northwest Clean Air Agency (NWCAA).

Hearing Location(s): On April 29, 2025, at 10 a.m., at the NWCAA Office, 1600 South 2nd Street, Mount Vernon, WA; or via video and teleconference at <https://us06web.zoom.us/j/81512278340>, Meeting ID 815 1227 8340; or phone 253-215-8782.

Date of Intended Adoption: May 8, 2025.

Submit Written Comments to: Mark Buford, 1600 South 2nd Street, Mount Vernon, WA 98273, email info@nwcleanairwa.gov, fax 360-428-1620, beginning April 2, 2025, at 9 a.m., by April 29, 2025, at 11 a.m.

Assistance for Persons with Disabilities: Contact Tanya Asmundson, phone 360-428-1617, fax 360-428-1620, email info@nwcleanairwa.gov, by April 22, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules:

- Update the adoption-by-reference date to allow implementation of the most recent version of the referenced state and federal rules - add 40 C.F.R. 60 Subparts Kc, La, VVb, XXa, IIIa, NNNa, RRRa, and OOOOb to the list. (NWCAA Section 104)
- Update the daily maximum penalty to \$26,000 from \$19,000 to reflect the cost of living adjustment. (NWCAA Section 133)
- Correct typo in RCW citation within the definition of "Order." (NWCAA Section 200)
- Update to reflect correct section citations. (NWCAA Section 466)
- Correct an RCW and NWCAA regulation citation. (NWCAA Section 502)
- Remove incorrect conversion regarding sulfur compounds in fuel. (NWCAA Section 520)
- Delete section because it duplicates other sections in rule. (NWCAA 580.11)
- Delete section because it is vague and is no longer necessary due to applicability of federal programs. (NWCAA 580.23)
- Correct conversion to match the federal rule. (NWCAA 580.3)

Reasons Supporting Proposal: See list above.

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

Statute Being Implemented: RCW 70A.15.2040(1).

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

Name of Proponent: NWCAA, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Mark Buford, 1600 South 2nd Street, Mount Vernon, WA, 360-428-1617.

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. Not applicable under 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: Not applicable under RCW 70A.15.2040.
Scope of exemption for rule proposal:
Is fully exempt.

March 4, 2025
Mark Buford
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.