

WSR 26-07-045
PREPROPOSAL STATEMENT OF INQUIRY
ENVIRONMENTAL AND
LAND USE HEARINGS OFFICE
(Pollution Control Hearings Board)
[Filed March 13, 2026, 2:13 p.m.]

Subject of Possible Rule Making: The environmental and land use hearings office (ELUHO) commences this inquiry to consider possible corrections and changes to certain sections of chapter 371-08 WAC, the pollution control hearings board's (PCHB) rules of practice and procedure.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.21B.170.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule changes are needed for the following reasons: Since the last update to rules in 2025, PCHB members, administrative appeal judges, and others have identified areas to potentially improve and clarify within PCHB's procedural rules in chapter 371-08 WAC. In addition, new legislation may warrant updating the rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: ELUHO will provide opportunity for members of the public to submit initial informal comments, may schedule one or more workshops, and will provide the opportunity for members of the public to attend and participate in a public hearing and submit formal comments on draft rules prior to adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jamie Merly, 1500 Jefferson Street S.E., Olympia, WA 98501, phone 360-485-1282, fax 360-586-2253, email jamie.merly@eluhwa.gov, website www.eluhwa.gov.

March 13, 2026
Jamie Merly, Director
Legal and Administrative Services