**Agency:** Department of Ecology AO #16-09

**Subject of possible rule making:** Ecology proposes to amend two rules:

1. **Air Quality Fee Rule** – Chapter 173-455 WAC – includes most of the air quality related fees into one chapter. This chapter allows the regulated community easier access to applicable fees.
2. **General Regulations for Air Pollution Sources** – Chapter 173-400 WAC – establishes the regulatory framework to ensure that healthy air quality exists in Washington, including meeting federal air quality standards.

The amendments will:
- Better align fees with costs of the air quality source registration program.
- Revise the fee process to create an equitable distribution of fees across all registered sources.
- Ensure alignment between Chapters 173-400 WAC and 173-455 WAC.
- Identify, and where appropriate, make needed edits in Chapters 173-455 and 173-400 WAC to increase clarity and readability.

**Statutes authorizing the agency to adopt rules on this subject:** Chapter 70.94 RCW, RCW 70.94.151, RCW 70.94.892

**Reasons why rules on this subject may be needed and what they might accomplish:**
- Existing registration program fees fund approximately 45 percent of the estimated cost of operating the program. The rulemaking would better align fees with costs.
- The current fee process for the registration program does not equitably distribute fees across all registered sources. The rulemaking would increase fairness.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** N/A

**Process for developing new rule (check all that apply):**
- [ ] Negotiated rule making
- [ ] Pilot rule making
- [x] Agency study
- [ ] Other - Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (Chapter 34.05 RCW).

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**
- Visit the agency web page at http://www.ecy.wa.gov/programs/air/rules/rulemaking.html
- Sign up to receive e-mail notices at: http://listserv.wa.gov/cgi-bin/wa?SUBED1=ECY-AQ-RULE-AND-SIP-UPDATES&A=1
- Participate in a stakeholder meeting and/or a public hearing. For details, visit the Air Quality Program’s web page at http://www.ecy.wa.gov/programs/air/rules/wac173455/1609ov.htm
- Contact Margo Thompson, Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600, (360) 407-6827 or margo.thompson@ecy.wa.gov

**DATE**
February 2, 2017

**NAME (TYPE OR PRINT)**
Stuart A. Clark

**SIGNATURE**

**TITLE**
Air Quality Program Manager