



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 1, 2019

The Department of Ecology (Ecology) is stopping the rulemaking related to Chapter 173-400 WAC General Regulations for Air Pollution Sources. We are withdrawing the CR-101 (WSR 18-15-074) filed July 17, 2018.

The subject of this rulemaking was the development of an alternative sulfur dioxide (SO₂) emission standard for sulfur recovery units during startup and shutdown that aligns Chapter 173-400 WAC with the current interpretation of the federal Clean Air Act.

Ecology is withdrawing this CR-101 at the request of the main stakeholder, Western States Petroleum Association (WSPA). After four stakeholder meetings and several individual correspondences, WSPA, Ecology, and the regulating entities (Northwest Clean Air Agency and Puget Sound Clean Air Agency) agree that we can better achieve the goals of this rulemaking through the local permitting and enforcement process.

Without this rule, the statewide SO₂ standard will apply for all modes of operation at petroleum refinery sulfur recovery units once the Environmental Protection Agency removes WAC 173-400-107 from the Washington State Implementation Plan. Since the current statewide standard is protective of the environment, Ecology need not pursue an alternative emission limit, and the refineries have the option of applying for individual air operating (WAC 173-400-082) permits that meet their operational needs.

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