



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: June 20, 2018

TIME: 9:19 AM

WSR 18-13-112

**Agency:** Department of Ecology AO # 18-08

**Subject of possible rule making:**

Chapter 173-430 WAC Agricultural Burning

This rule implements the agricultural burning program in Washington.

We are proposing to:

- Revise the rule to address inadequacies raised in the Washington State Auditor’s Office Management Letter dated October 24, 2016.
- To avoid confusion, incorporate into this rule the existing agriculture burning fee schedule and permit fee distribution.
- Make updates, technical clarifications, correct errors, and improve readability.

**Statutes authorizing the agency to adopt rules on this subject:**

Chapter 70.94 RCW, RCW 70.94.6524, RCW 70.94.6528

**Reasons why rules on this subject may be needed and what they might accomplish:** See subject of possible rulemaking.

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

Local clean air agencies implements Chapter 173-430 WAC for the agriculture burning permit system in their jurisdiction. To see a list, visit: <https://ecology.wa.gov/About-us/Our-role-in-the-community/Partnerships-committees/Clean-air-agencies>.

Ecology or local clean air agencies can delegate agricultural burning permit program to conservation districts, counties, or fire protection agencies.

Ecology Air Quality Program will notify these agencies to offer them opportunities to participate in the stakeholder meetings.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (Chapter 34.05 RCW).

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Caroline (Ying) Sun	(If necessary)
Address: Department of Ecology Air Quality Program P.O. Box 47600 Olympia, WA 98504-7600	Name: Address:
Phone: (360) 407-7528	Phone:
Fax: N/A	Fax:

TTY: People with speech disability may call TTY at 877-833-6341.  
People with impaired hearing may call Washington Relay Service at 711.)

Email: [Caroline.Sun@ecy.wa.gov](mailto:Caroline.Sun@ecy.wa.gov)

Web site: <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-430>

Other:

Sign up to receive email notices:

<http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECY-AQ-RULE-AND-SIP-UPDATES&X=OF7D460E8D17CE2B31F&Y=equi461%40ecy.wa.gov>

TTY:

Email:

Web site:

Other:

Additional comments: Interested parties can stay informed about the rulemaking and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

**Date:** 06/20/2018

**Name:** Stuart A. Clark

**Title:** Air Quality Program Manager

**Signature:**

