



PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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FILED

DATE: June 20, 2018

TIME: 9:23 AM

WSR 18-13-113

Agency: Department of Ecology AO #18-03

Subject of possible rule making:

Chapter 173-405 WAC Kraft pulping mills
Chapter 173-410 WAC Sulfite pulping mills
Chapter 173-415 WAC Primary aluminum plants

These three rules set statewide air quality requirements and standards for Kraft pulping mills, Sulfite pulping mills and Primary aluminum plants.

We are proposing the following changes in this rulemaking:

- Ecology previously revised Chapter 173-400 WAC to comply with [EPA's direction in the Startup Shutdown Malfunction State Implementation Plan Call \(SSM SIP Call\) \(80 F.R. 33840\)](#). This rulemaking harmonizes Chapters 173-405, 410 and 415 WAC with Chapter 173-400 WAC for the SSM SIP Call related changes.
- Possibly make other changes to be consistent with federal requirements.
- Make updates, technical clarifications, correct errors, and improve readability.

Statutes authorizing the agency to adopt rules on this subject:

Chapter 70.94 RCW, RCW 70.94.152, RCW 70.94.331, RCW 70.94.395

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:

Ecology will communicate with, and seek input from the federal Environmental Protection Agency (EPA) to ensure compliance with EPA's decision published on May 22, 2015 (80 FR 33840).

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) Name:
Address: Department of Ecology Air Quality Program P.O. Box 47600 Olympia, WA 98504-7600	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

Web site: <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC173-405-410-415>

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:

