DEPARTMENT OF ECOLOGY
State of Washington

Rulemaking to Update Ambient Air Quality Standards and Significant Impact Levels

Chapters 173-476 and 173-400 WAC

June 9, 2026 public meeting

Rulemaking Team

Jane Pennington – Technical Host
Cooper Garbe – Rules and Planning Supervisor
MengChiu Lim, P.E. – Policy and Permitting Engineer
Ryan Vicente, P.E. – Permitting Engineer
Beth Friedman – Air Quality Modeler
Linda Kildahl – Rulemaking Lead

Agenda

- Overview of rulemaking
- Informal comments received on draft rule language
- Updated draft rule language
- Wrap up

Rulemaking Overview

Updating two air quality rules:

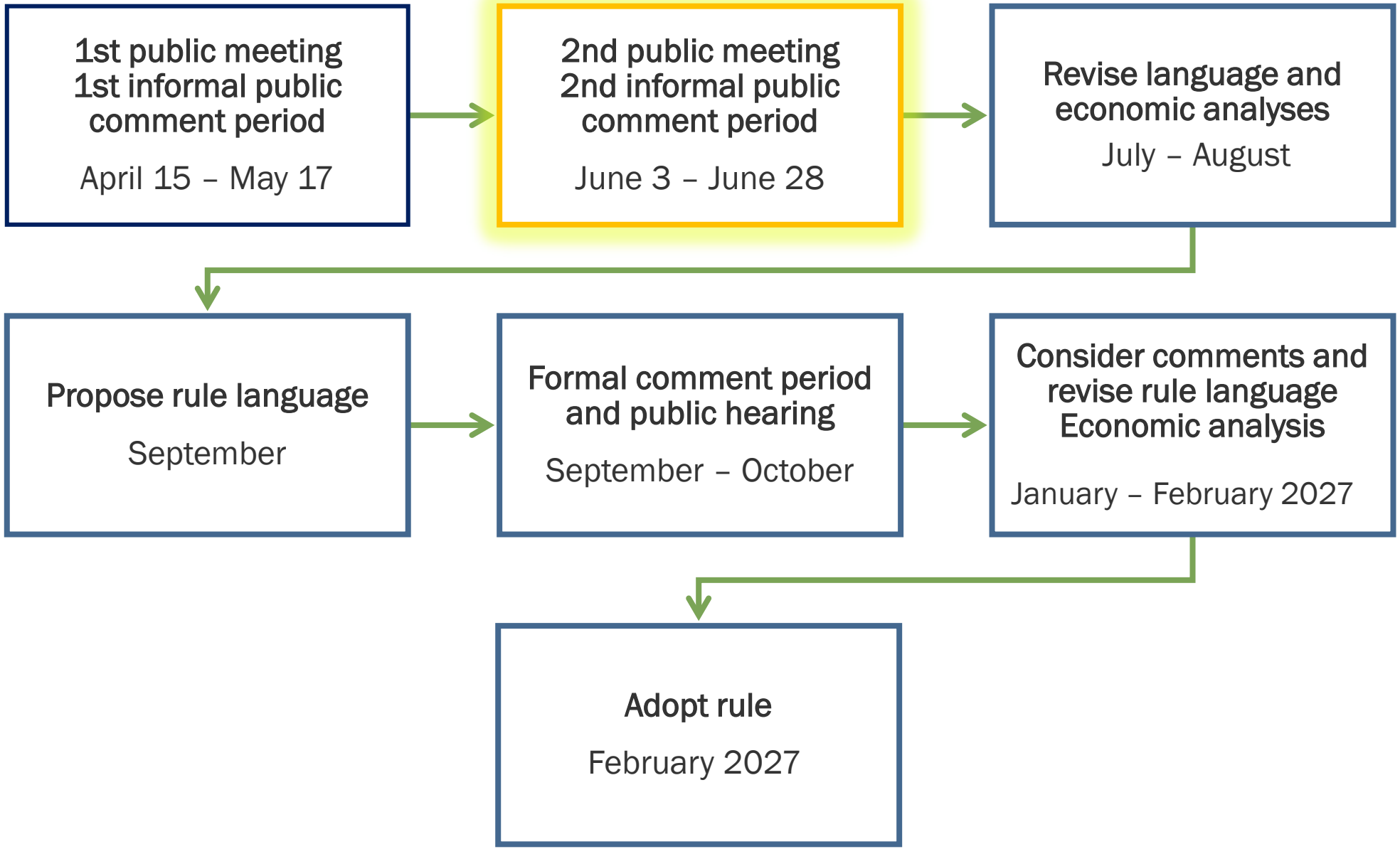
Chapter 173-476 WAC, Ambient Air Quality Standards

- Update standards for fine particulate matter ($PM_{2.5}$) and sulfur dioxide (SO_2) to align with revisions to the National Ambient Air Quality Standards (NAAQS) adopted by EPA in 2024

Chapter 173-400 WAC, General Regulations for Air Pollution Sources

- Update "cause or contribute threshold values," also called "significant impact levels" (SILs), to align with current EPA-recommended SIL values
- Update SIL provisions to add permitting authority discretion in the new source review process

Rulemaking Timeline



Chapter 173-476 WAC, Ambient Air Quality Standards

Update standards for fine particulate matter ($PM_{2.5}$) and sulfur dioxide ($S0_2$) to align with revisions to the National Ambient Air Quality Standards (NAAQS) adopted by EPA in 2024

- Fine particulate matter ($PM_{2.5}$)
  - Old annual standard: 12 ug/m^3 (primary)
  - Revised to 2024 annual standard: 9 ug/m^3 (primary)
- Sulfur dioxide (SO_2)
  - Added 2024 annual standard: 10 ppb (secondary)
  - Removed two outdated standards that no longer apply in Washington
    - Annual: 20 ppb (secondary)
    - Twenty-four hour: 140 ppb (secondary)
  - Removed sunset language applicable to the two standards

Chapter 173-400 WAC, General Regulations for Air Pollution Sources (WAC 173-400-113)

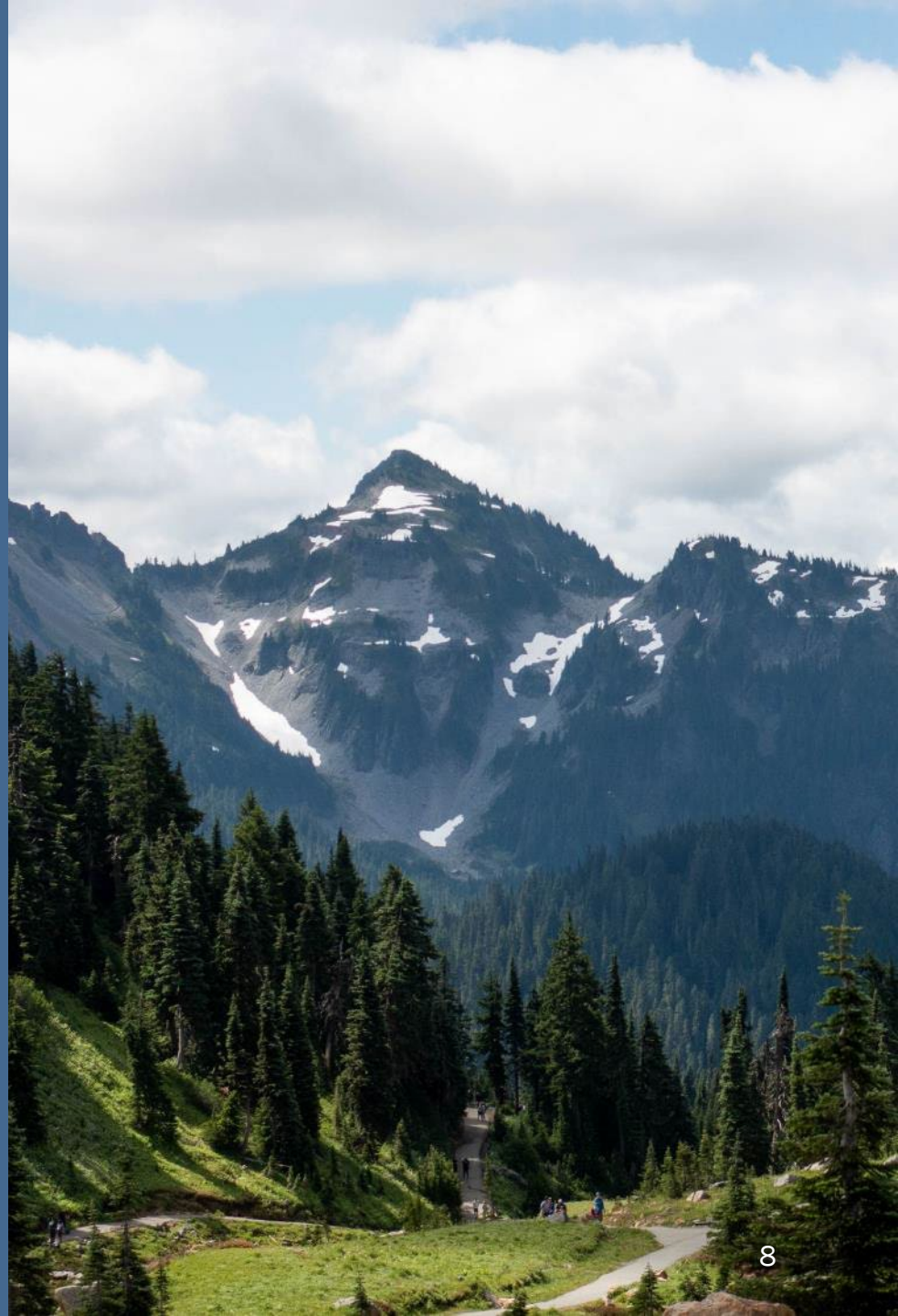
- Update “cause or contribute threshold values,” also called “significant impact levels” (SILs), to align with current EPA-recommended SIL values
- Update SIL provisions to add permitting authority discretion in the new source review process
  - Revise language that conflicted with a 2013 court decision
  - Clarify that permitting authorities may require a cumulative impact analysis even if SILs are not exceeded

Pollutant	Averaging Period	WAC 173-400-113 ug/m³ unless indicated
CO	1-hour	2 mg/m3
	8-hour	0.5 mg/m3500
SO_2	1-hour	~~30~~ 7.86*
	3-hour	25
	24-hour	5
	Annual	1.0
PM_{10}	24-hour	5
	Annual	1.0
$PM_{2.5}$	24-hour	1.2
	Annual	~~0.30~~ 0.13**
NO_2	1-hour	7.5***
	Annual	1.0
Ozone	8-hour	1.0 ppm****

*Interim SO_2 SIL guidance – 2010
**New $PM_{2.5}$ annual SIL guidance – 2024
***Interim NO_2 SIL guidance – 2010
****Ozone SIL guidance – 2018

Informal Comments on Initial Draft Language

Chapter 173-476 WAC and Chapter 173-400 WAC



Summary of Informal Public Comments Chapter 173-476 – Ambient Air Quality Standards

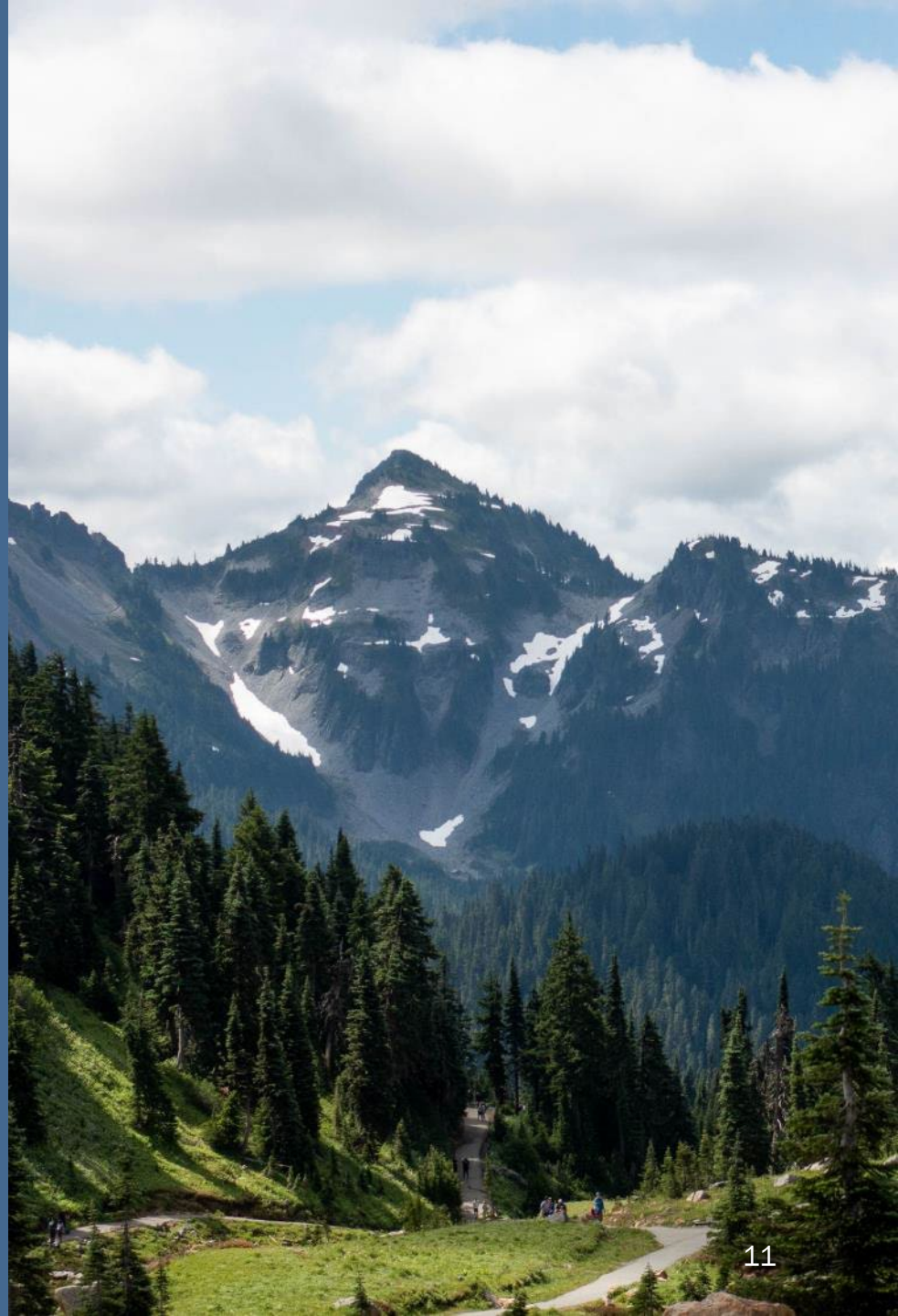
173-476-110(a)	**Revised $PM_{2.5}$.** Concern about the revised $PM_{2.5}$ standard given EPA's current pursuit to vacate the 2024 standard and return to the previous level • Commenter requests that we adopt language to automatically align with the federal standard or establish a mechanism to promptly revisit state standards in the event of federal changes.
173-476-130(5)	**SO_2 sunset provision.** Concern that removing the sunset provision for the two SO_2 standards being removed is anti-competitive for affected industries and compromises the incentive for facilities to modernize, etc. • 0.02 ppm (24-hour) • 0.14 ppm (annual)

Summary of Informal Public Comments Chapter 173-400 – General Air Regulations

173-400-113(3) and (4a)	**SIL language.** Concern that the additional language is vague and gives permitting authorities overly broad discretion. • Commenter disagrees with the allowance to require a cumulative impact analysis if the SILs are not exceeded because of the decreased certainty for project applicants. • Commenter recognizes EPA's stance that permitting authorities have discretion, but they believe the draft language makes it broader than needed and requests that we remove this new language or tie it to the federal guidance.
173-400-113 Table 4a	**Revised SIL levels.** Concern that the strengthened SILs will result in increased reliance on cumulative impact modeling for projects that have minimal real-world impact. • Commenter recommends that we "remain consistent with the federal SILs and plan rulemaking if the federal number returns to a number that allows for projects expansions; and/or consider holding off this element of the cause-and-contribute language while the federal reconsideration is ongoing."

General Regulations for Air Pollution Sources
Chapter 173-400 WAC

Revisions to WAC 173-400-113 since April 15 public meeting



WAC 173-400-113(3) – Revised Language

~~(3) Allowable emissions from the proposed new source or allowable emissions increase from the proposed modification will not cause or contribute to a violation of any ambient air quality standard. If the modeled concentrations of allowable emissions from the proposed new source or the increase in emissions from the proposed modification **are below** the levels in Table 4a, the proposed source **does not contribute** to a violation an ambient air quality standard.~~

If the modeled concentrations of allowable emissions from the proposed new source or the increase in emissions from the proposed modification **exceed the levels in Table 4a, the proposed source **will be** considered to cause or contribute to a violation of an ambient air quality standard. **A permitting authority may require a cumulative impact analysis even if modeled values are below the values in Table 4a if there is information that indicates the impact of the proposed new source or modification could result in a violation of an ambient air quality standard when added to the impact of nearby sources or existing background concentrations.**

**Updated language

WAC 173-400-113(4) – Revised Language

~~(4) If the projected impact of the allowable emissions from the proposed new major stationary source (as defined in WAC 173-400-810) or the projected impact of the increase in allowable emissions from the proposed major modification (as defined in WAC 173-400-810) at any location within a nonattainment area **does not exceed** the following levels for the pollutants for which the area has been designated nonattainment, then the proposed new source or modification **will not** be considered to cause or contribute to a violation of an ambient air quality standard:~~

If the projected impact of allowable emissions from the proposed new major stationary source (as defined in WAC 173-400-810) or allowable emissions increase from the proposed major modification (as defined in WAC 173-400-810) at any location within a nonattainment area **exceeds the values in Table 4a for the pollutants which the area has been designated nonattainment, the proposed new major source of major modification **will be** considered to cause or contribute to a violation of an ambient air quality standard.

**Updated language

Questions or Comments?

Ecology Contacts

Rules and Planning

Cooper Garbe
cooper.garbe@ecy.wa.gov

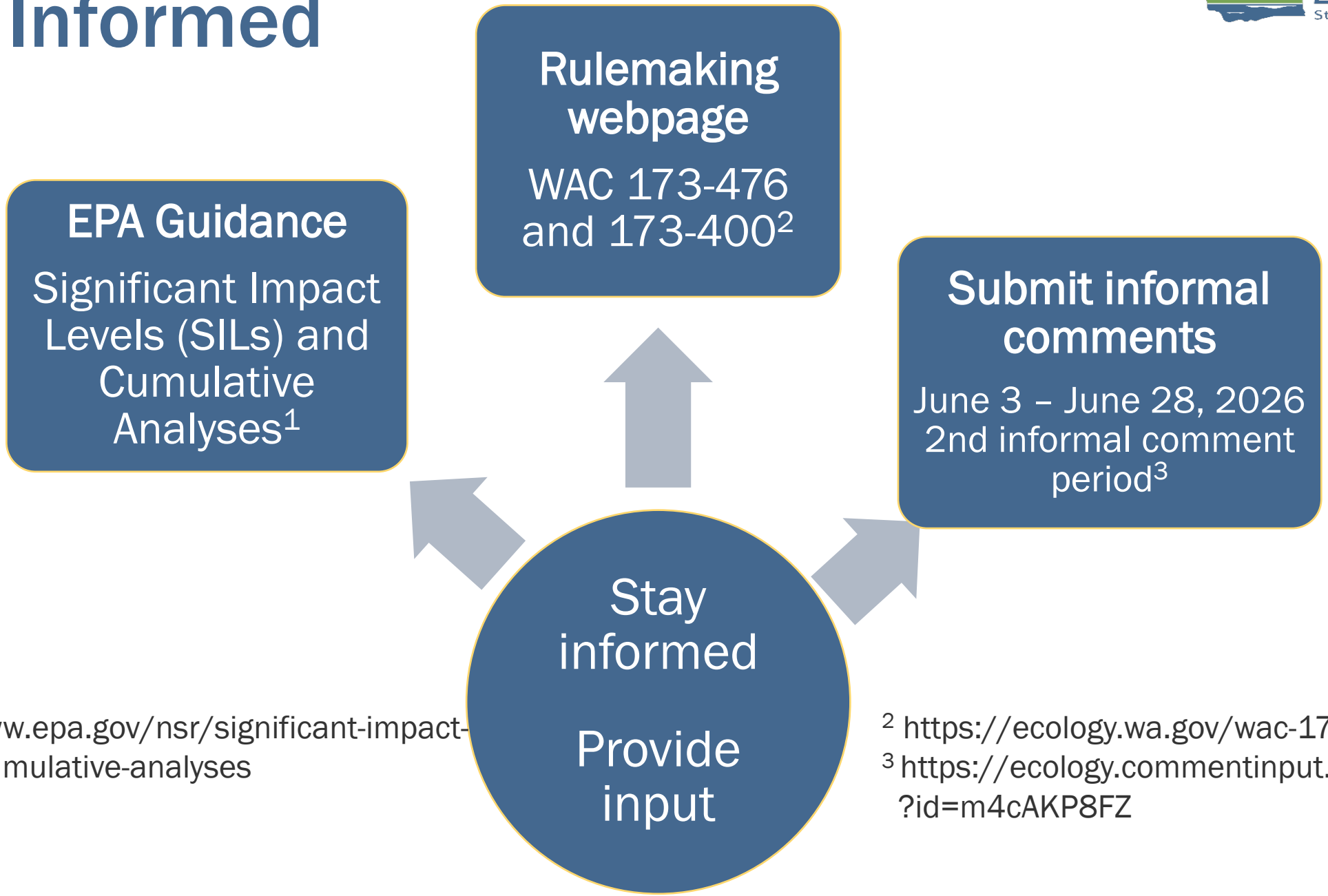
Rulemaking Lead

Linda Kildahl
linda.kildahl@ecy.wa.gov

Policy and Permitting Engineer

MengChiu Lim, P.E.
mengchiu.lim@ecy.wa.gov

Stay Informed



[1] https://www.epa.gov/nsr/significant-impact-levels-sils-cumulative-analyses

[2] https://ecology.wa.gov/wac-173-476-400

[3] https://ecology.commentinput.com/?id=m4cAKP8FZ

DEPARTMENT OF ECOLOGY
State of Washington

Thank you