



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Ecology (AO# 11-08)

Subject of possible rule making: Water Quality Standards for Surface Waters of the State of Washington - Chapter 173-201A WAC
The Surface Water Quality Standards rule-making will:

- Clarify and modify existing regulatory tools.
- Evaluate and potentially add other tools identified during the rule-development process.
- Evaluate and potentially add other amendments related to updates listed above

Statutes authorizing the agency to adopt rules on this subject: Chapter 90.48.035 RCW provides clear and direct authority for Ecology to revise the water quality standards. Additionally, 40 CFR 131.20 requires states or tribes (with primacy for clean water act actions) to review and update the Water Quality Standards.

Reasons why rules on this subject may be needed and what they might accomplish: The purpose of these amendments is to provide flexible and predictable regulatory tools that help entities comply with new source control requirements or discharge limits. The changes will allow entities to maintain compliance with requirements while they effectively work toward meeting permit limits and controlling sources of pollutants.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
Ecology will work with tribes to discuss rule activities and seek input. Other coordinating federal and state agencies include Washington Department of Fish and Wildlife, Washington State Department of Health, and United States Environmental Protection Agency.

Stakeholders will be involved through a series of public meetings about developments, updates, and changes to implementation language.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Ecology plans to involve interested parties with one-on-one meetings, public forums, and public notice.

Ecology will use all these public activities to clearly explain the updated rule to interested parties. We plan to actively seek input on the proposed rule proposal.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

For more information on participation, please contact:
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DATE
October 24, 2011

NAME (TYPE OR PRINT)
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TITLE
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