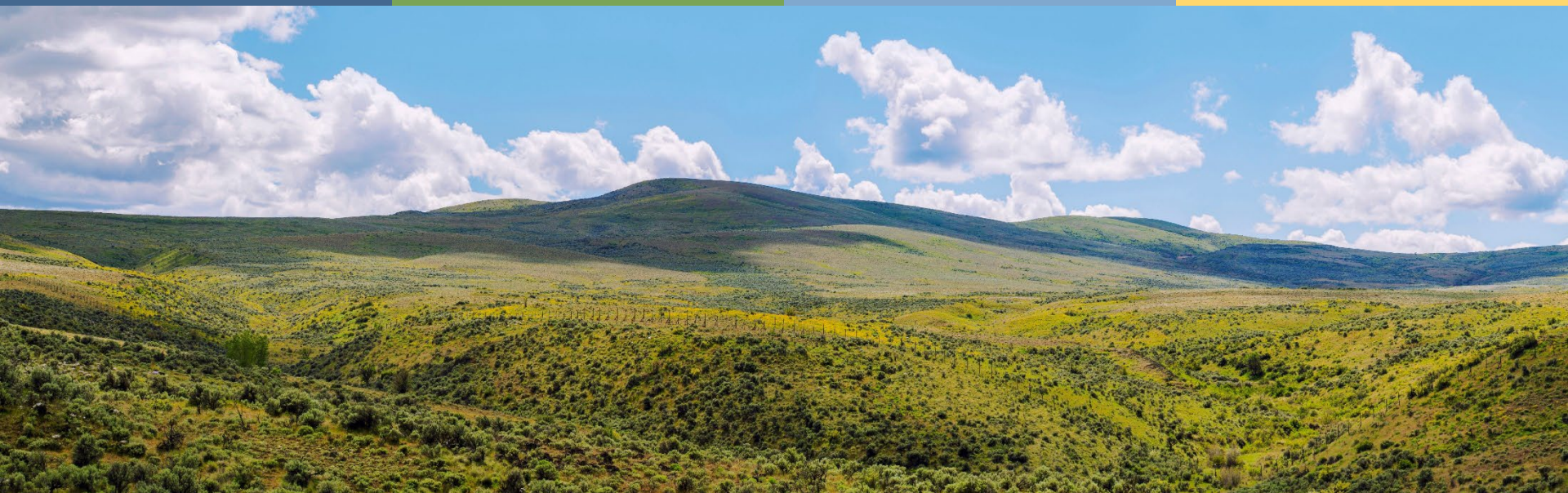




Rulemaking for Flame Cap Kilns and Air Curtain Incinerators

Chapters 173-425, -430, -400 WAC

July 22, 2025

Agenda

- 1** Welcome and Zoom functionality
- 2** Introduction and recap
- 3** General order vs. notice of construction
- 4** Discussion
- 5** Next steps

Recap of June Meeting

Summary

- Recap of June meeting
- Overview of intended rulemaking
- Draft rule language: flame cap kilns
- Draft rule language: air curtain incinerators
- Discussion and next steps

Rulemaking Possibilities

Flame cap kilns

- Add definition as directed by legislature
- Not anticipating any other rule changes

Air curtain incinerators

- Exploring the possibility of a general order instead of current permitting process (notice of construction or variance)
 - Would only apply to burning in Ecology's jurisdiction, not Tribal or local clean air agencies
- WAC 173-400-560, General order of approval
 - <https://app.leg.wa.gov/WAC/default.aspx?cite=173-400-560>

General Order vs. Notice of Construction

Notice of Construction	General Order
New source review approval required before establishing the source	New source review approval required before establishing the source
Application analysis performed by applicant (and/or their consultant)	General order development analysis performed by Ecology
Application processing = 3-7 months average (2022-2024)	Application processing = 1-3 months average (2022-2024)
Application fee = hourly fee with 18-hour minimum	Application fee = flat fee
Portable relocation notice required as specified in notice of construction	Existing portable source general orders require 10-day prior relocation notice; no additional action required by Ecology

Next Steps

Tentative timeline of upcoming rulemaking steps

Summer 2025

- Further rule development

Fall 2025

- Propose rule, hold public comment period and public hearing

Winter 2025-Spring 2026

- Adopt rule

Comment

- Informal public comment period is open through August 1, 2025

<https://aq.ecology.commentinput.com/?id=PjNaietgQ>

- Please submit your comments!
- Link also available via email and on rulemaking web page

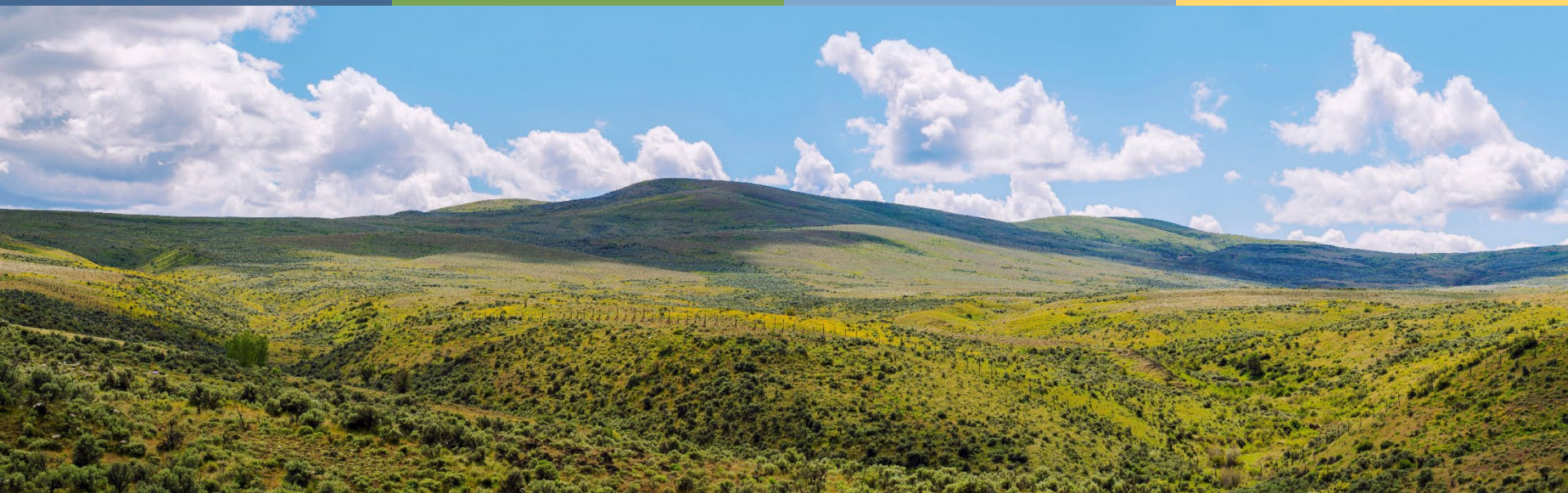
More Information

Rulemaking web page

<https://ecology.wa.gov/wac-173-425-430-400>

Contact

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Thank you

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