



# Introduction to Rulemaking for Improving Air Quality in Overburdened Communities

Chapter 173-448 WAC

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# Ecology Air Quality Program Staff

- Shevonda Joyner – Facilitator, Community Outreach and Environmental Education Specialist
- Jane Pennington – Technical Host, Administrative Assistant
- Martha Hankins – Policy and Planning Section Manager
- Cooper Garbe – Rules and Planning Unit Supervisor
- Anthony Bruma – Environmental Planner, Rule Lead

# Agenda

- 1** Overview of the initiative to improve air quality in overburdened communities
- 2** General rulemaking information
- 3** Rulemaking to improve air quality in overburdened communities
- 4** Questions and answers (1 hour)
- 5** Conclusion

# Overview of the Initiative to Improve Air Quality in Overburdened Communities

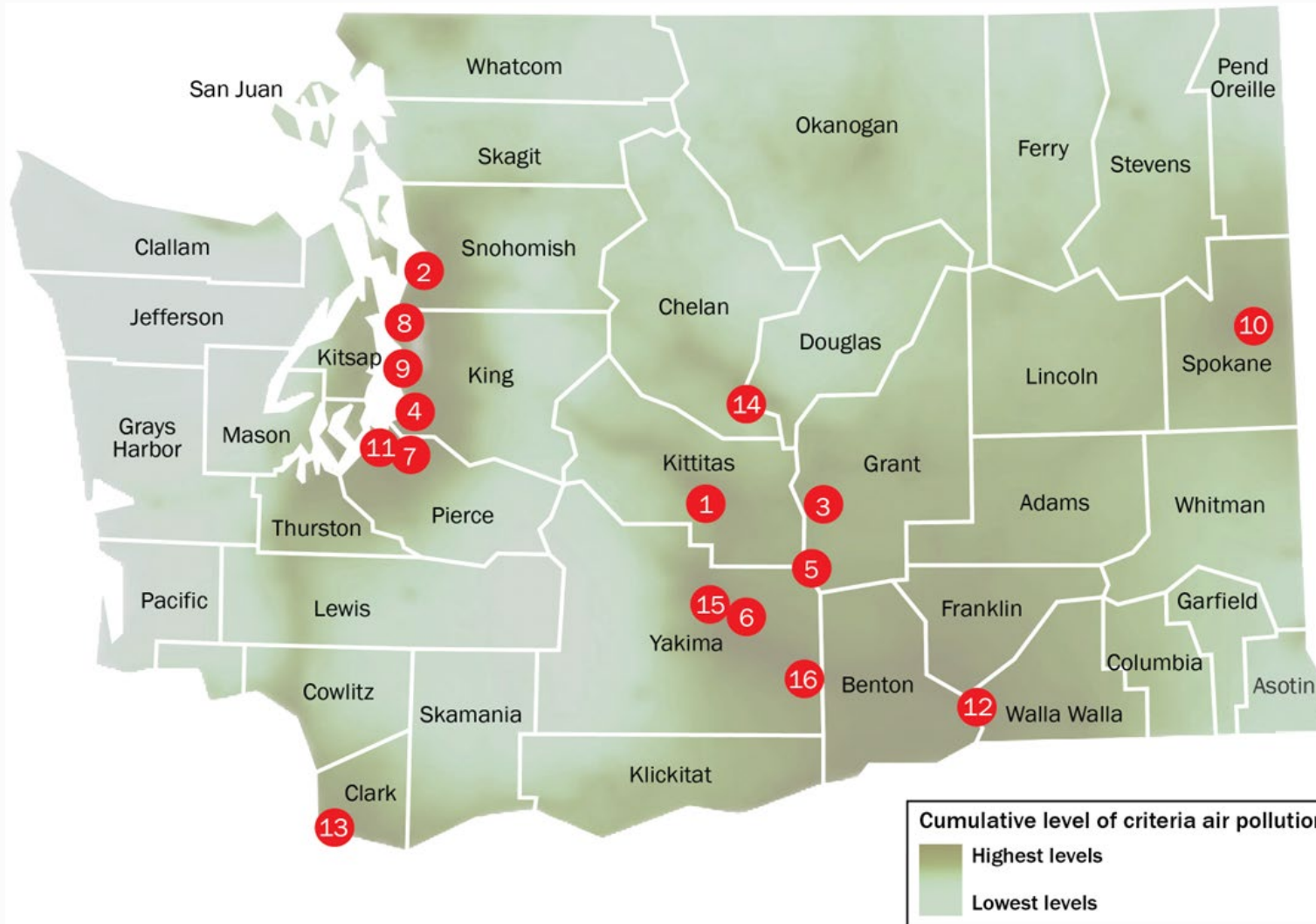
# Climate Commitment Act and Environmental Justice

Improve air quality in overburdened communities highly impacted by criteria air pollution

- Expand air monitoring in the communities
- Adopt strategies to reduce air pollution
  - \$10 million community grant program in 2024
  - Rulemaking in 2024-26 for more protective air quality standards in those communities
- Evaluate and report air pollution, greenhouse gas, and health data every two years
  - First report released in December 2023



# 16 Communities across Washington



- 1 Ellensburg
- 2 Everett
- 3 George and West Grant County
- 4 South King County
- 5 Mattawa
- 6 Moxee Valley
- 7 Northeast Puyallup
- 8 North Seattle and Shoreline
- 9 South Seattle
- 10 Spokane and Spokane Valley
- 11 South and East Tacoma
- 12 Tri-Cities to Wallula
- 13 Vancouver
- 14 Wenatchee and East Wenatchee
- 15 East Yakima
- 16 Lower Yakima Valley

Communities listed alphabetically.

We anticipate additional communities may be added after Tribal consultation.

# Address Air Pollution and Improve Air Quality

**RCW 70A.65.020**

**Environmental justice review**

List  
contributing  
sources

Establish air  
quality  
targets

Emission  
control  
strategies to  
achieve  
reduction  
targets

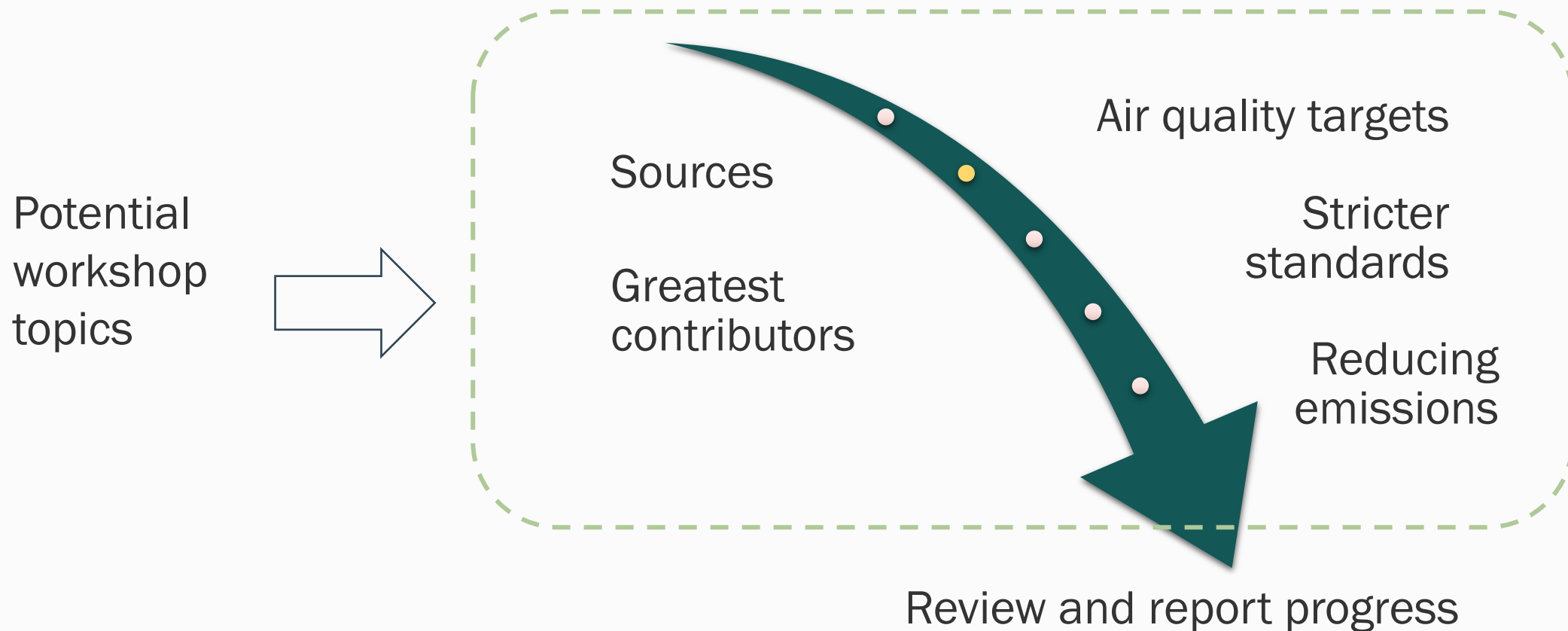
Be open to  
other  
methods to  
achieve  
reduction  
targets

Adopt  
stricter  
standards or  
emission  
limits

Issue orders

# Focus for Rulemaking Discussions

The 2023 report identified overburdened communities.





# Multiple Sources Require Multiple Approaches

Collaboration

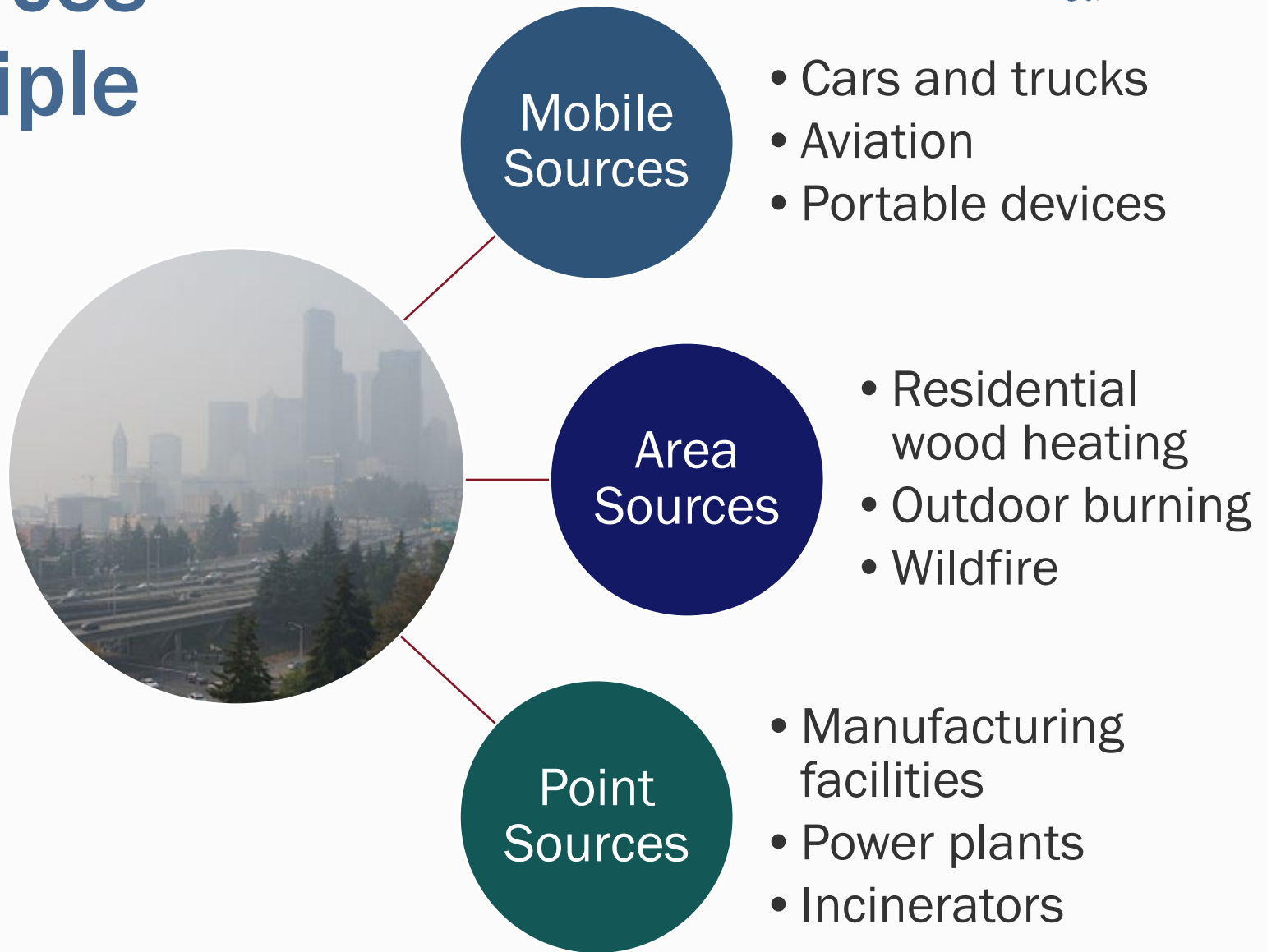
Grants

Incentives

Long-term strategies

Partnerships

Regulation



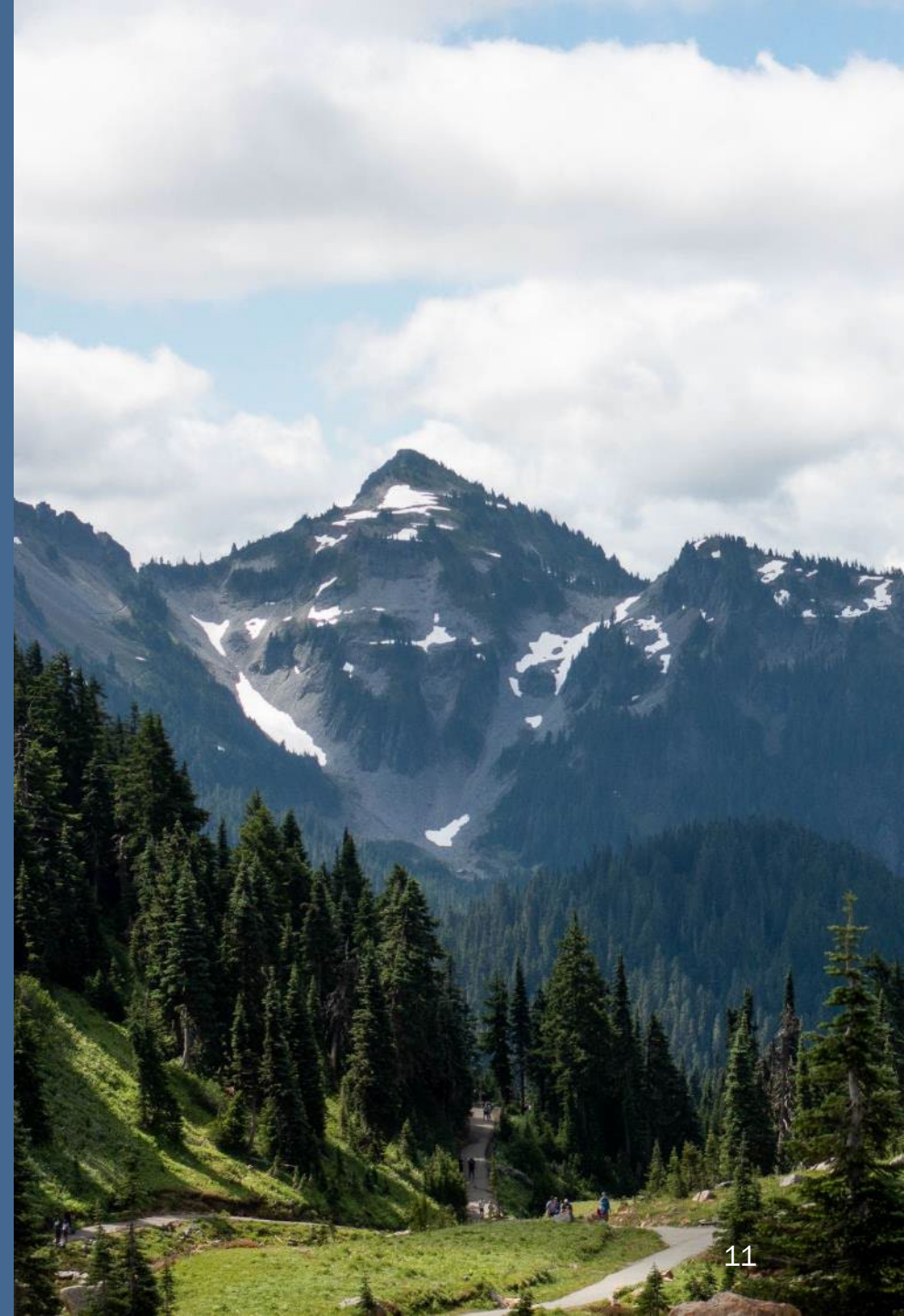
# Goals for this Rulemaking

Sharing information, discussing options, listening, gathering input:

- Processes and strategies for emission reductions to achieve air quality targets in overburdened communities identified by Ecology.
- Other rule language necessary for implementation.



# General Rulemaking Information



# Rulemaking Terms

## Revised Code of Washington (RCW):

Laws enacted in Washington

## Washington Administrative Code (WAC):

Regulations (i.e., “rules”) detailing how a law will be implemented

## Rulemaking:

Administrative process to write and adopt a rule (RCW 34.05.010)

# Rulemaking Process

- Gather information
- Explore options
- Notify the public about our intent to start rulemaking

**Announcement**

- Hold meetings to present ideas
- Accept informal comments as early feedback
- Develop draft rule language

**Proposal**

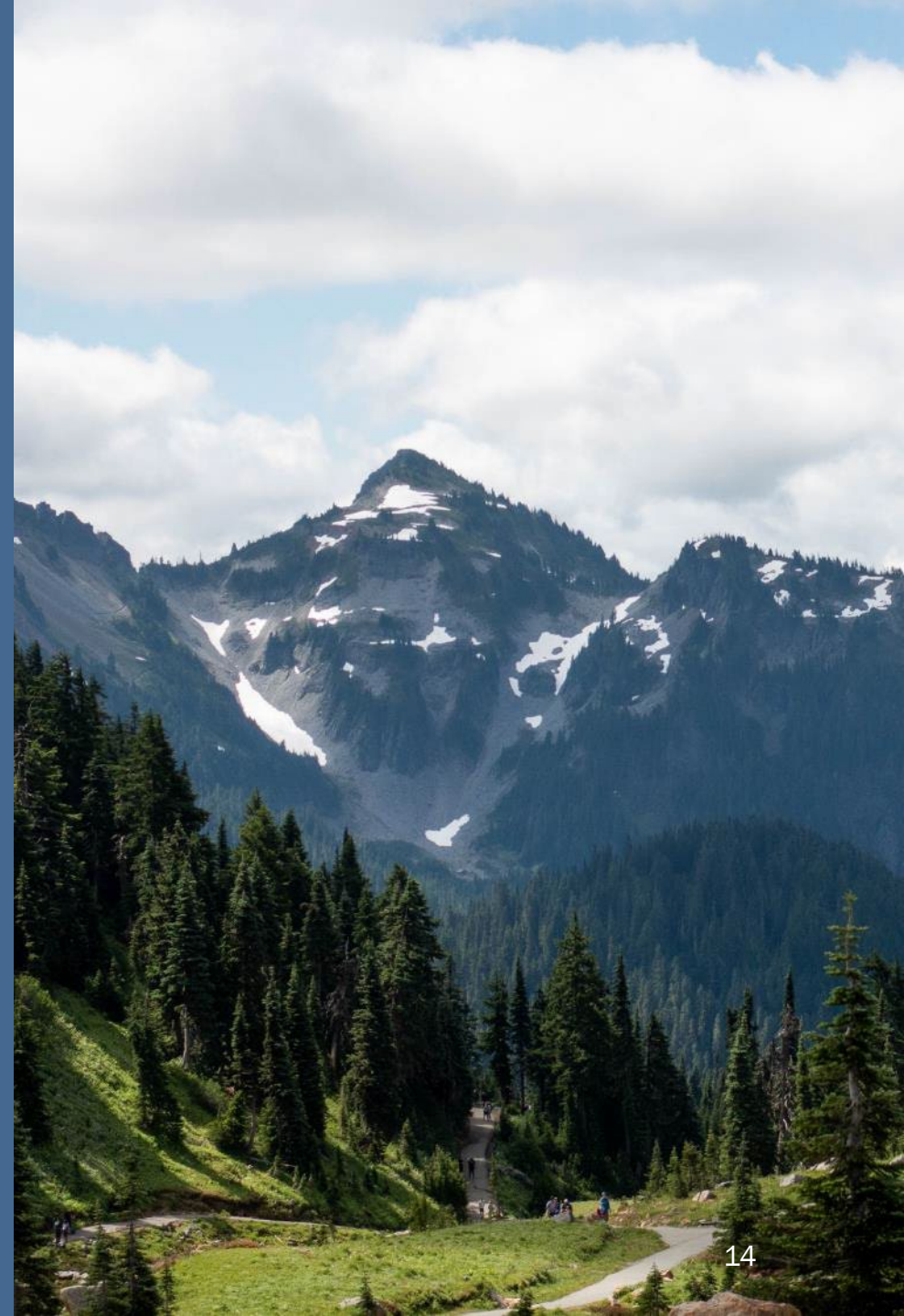
- Open the formal public comment period
- Hold public hearing(s)
- Consider and respond to comments
- Finalize the rule

**Adoption**



# Rulemaking to Improve Air Quality in Overburdened Communities

Chapter 173-448 WAC



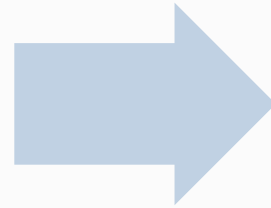
# Initiative Background

- A lot of climate work at Ecology, like the cap-and-invest program, involves reducing greenhouse gases at the state level.
- However, measures for reducing overall state levels of greenhouse gases might not decrease another category of pollutants called criteria air pollutants at community levels.
- As a result, air quality and environmental justice provisions (RCW 70A.65.020) in the Climate Commitment Act in alignment with the Healthy Environment for All Act, direct Ecology to reduce criteria air pollution in overburdened communities highly impacted by air pollution.

# Starting Place

Identified  
overburdened  
communities

- Satisfying  
RCW 70A.65.020(1)(a)



Published the first  
environmental justice  
review

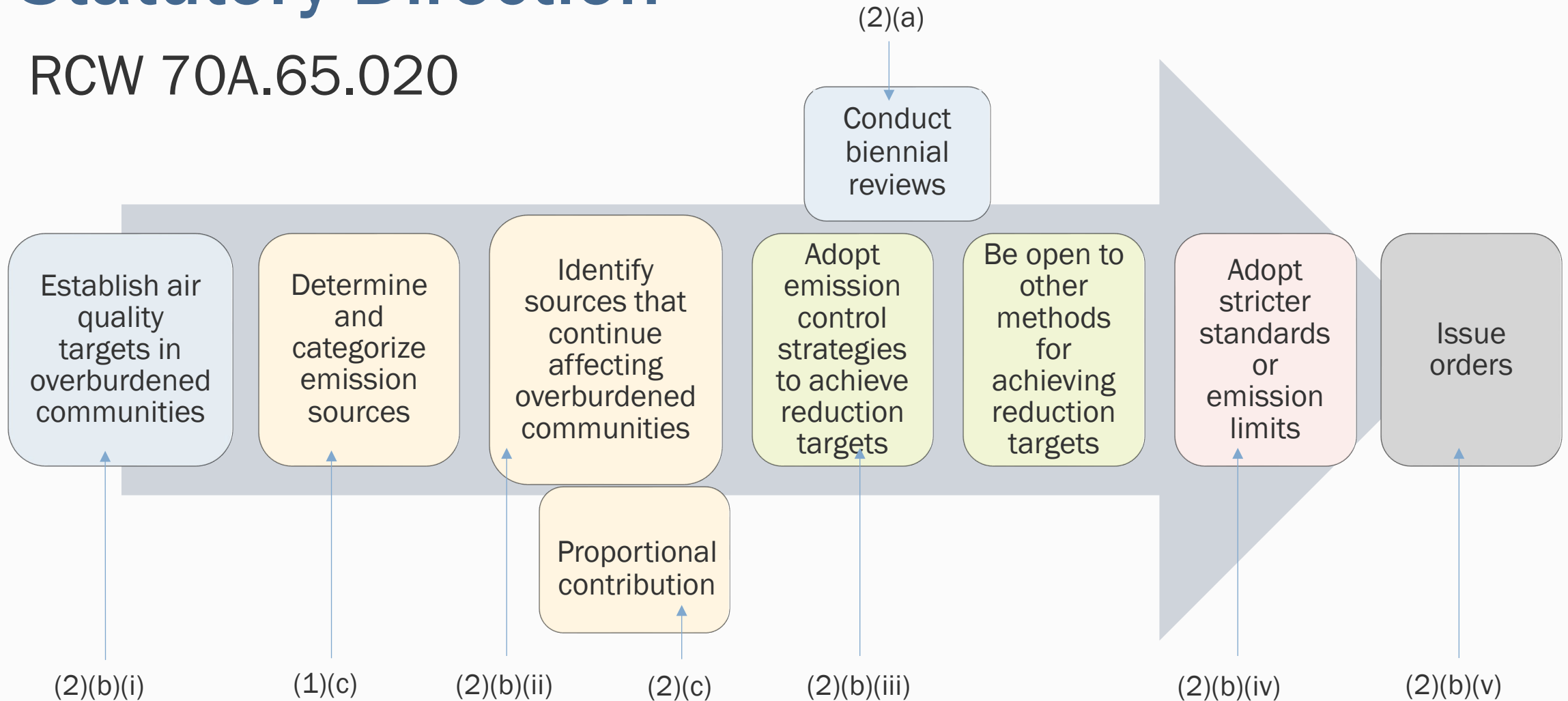
- Satisfying the first part of  
RCW 70A.65.020(2)(a)

- For more information about how overburdened communities were identified, refer to:
  - Technical Support Document
  - StoryMap for Overburdened Communities Highly Impacted by Air Pollution



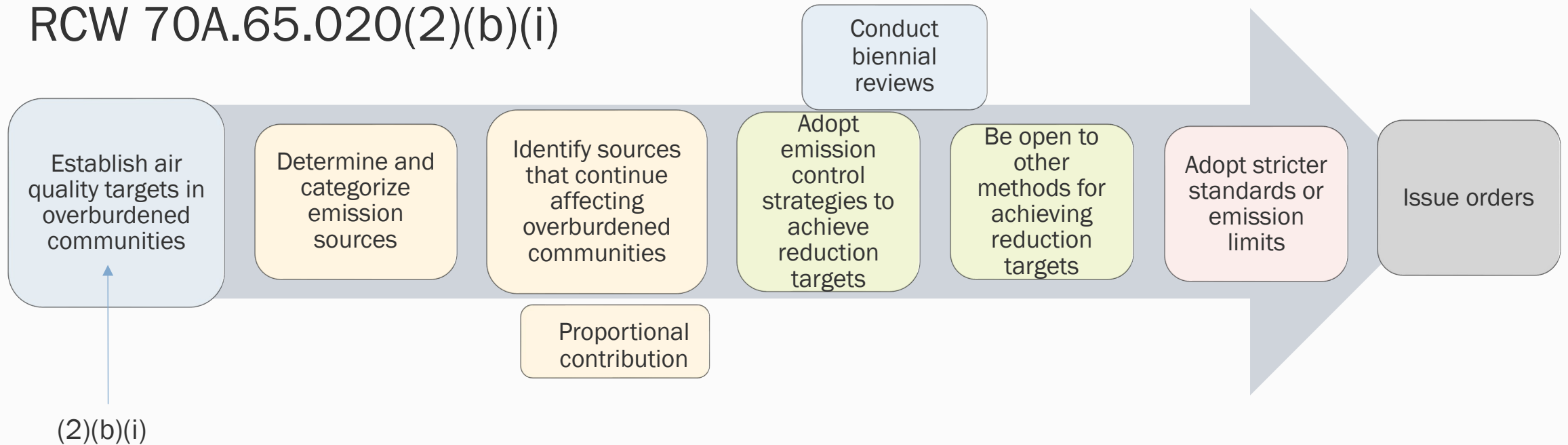
# Statutory Direction

RCW 70A.65.020



# Establishing Air Quality Targets

RCW 70A.65.020(2)(b)(i)



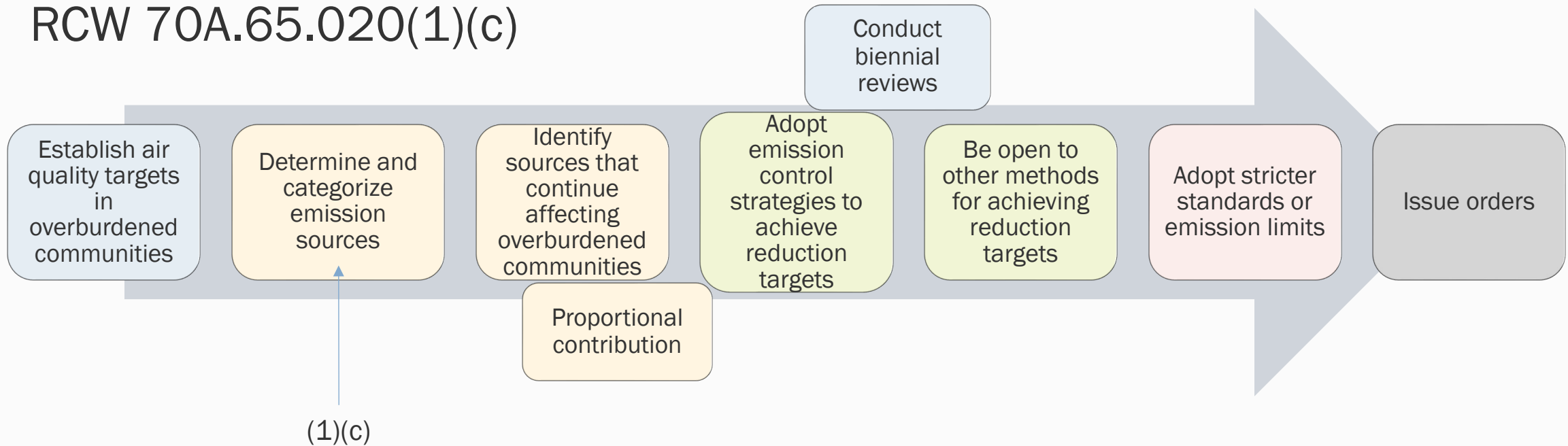
Establish **air quality targets** to achieve air quality consistent with whichever is **more protective** for human health:

(A) National ambient air quality standards established by EPA; or

(B) The air quality experienced in neighboring communities that are not identified as overburdened

# Identifying Emission Sources

RCW 70A.65.020(1)(c)

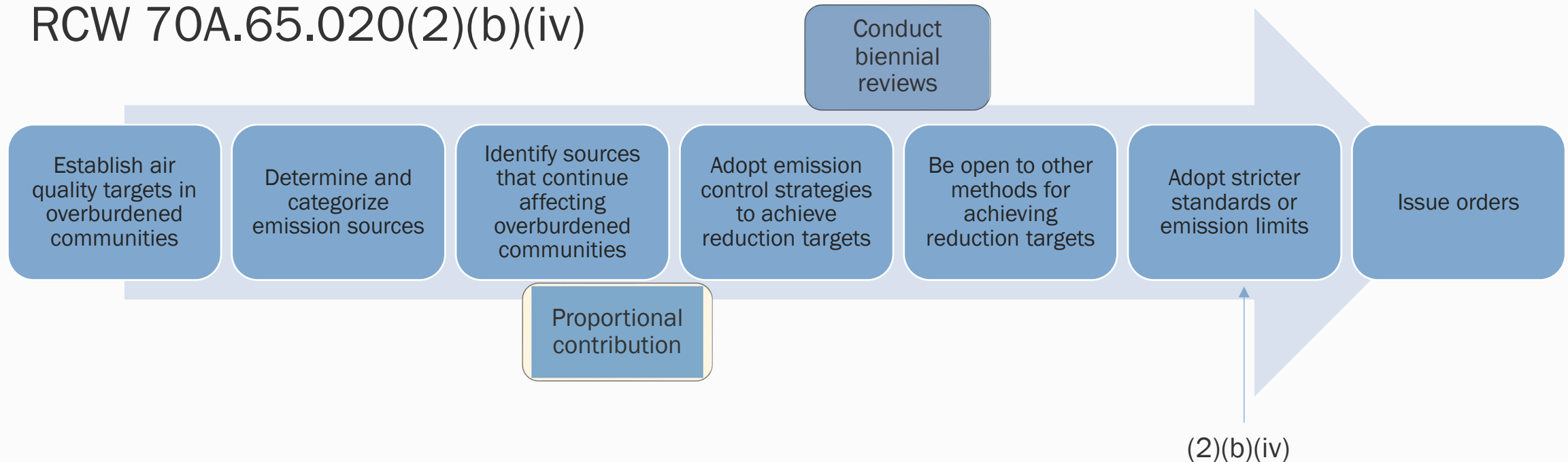


(1)(c)(i) Within the identified overburdened communities, analyze and determine which sources are the **greatest contributors** of criteria pollutants and develop a **high priority list of significant emitters**.

(1)(c)(ii) Prior to listing any entity as a high priority emitter, the department must notify that entity and share the data used to rank that entity as a high priority emitter, and provide a period of not less than 60 days for the covered entity to submit more recent data or other information relevant to the designation of that entity as a high priority emitter.

# Reducing Emissions

RCW 70A.65.020(2)(b)(iv)



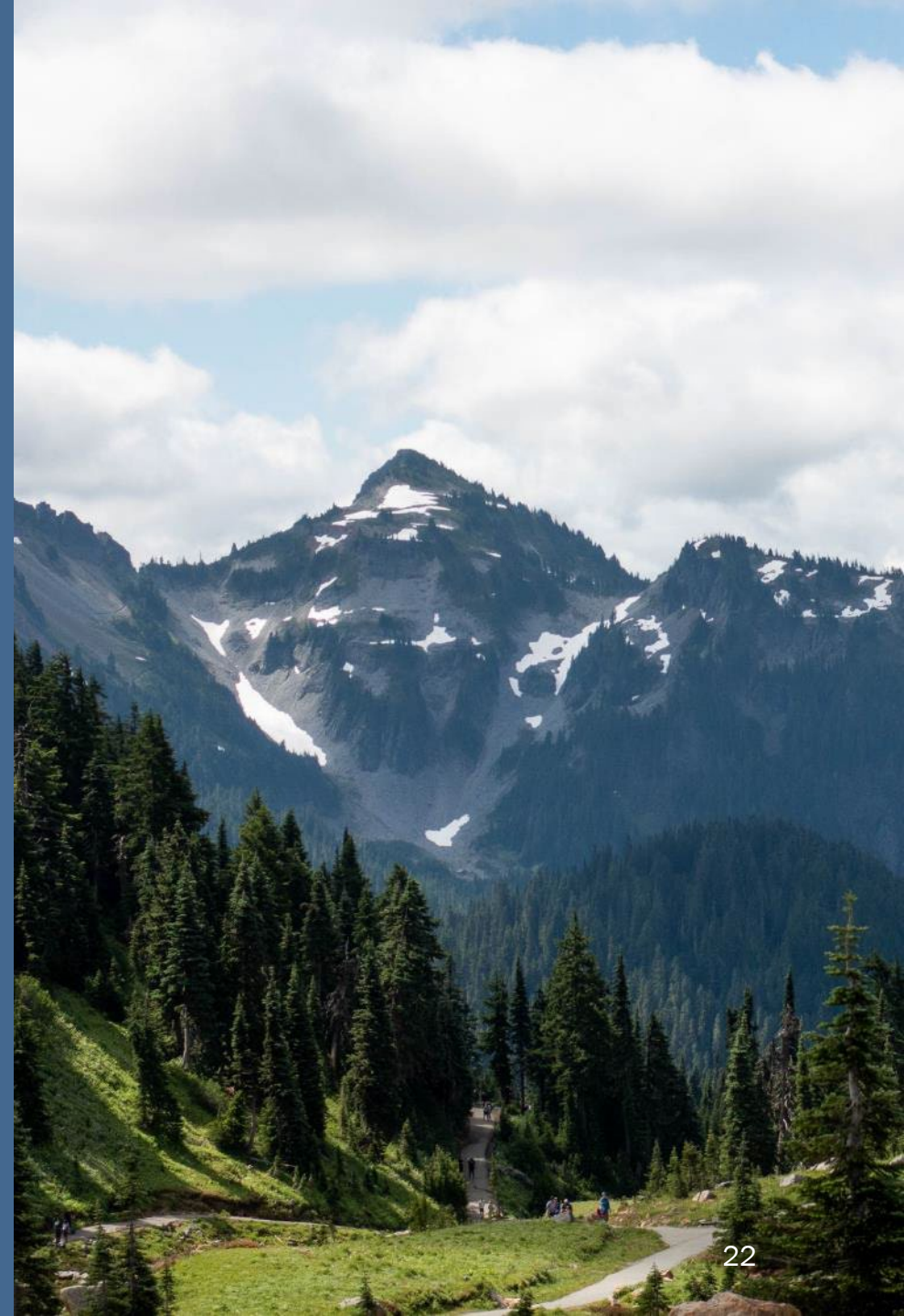
(2)(b)(iv) Adopt, along with local air pollution control authorities, stricter **air quality standards, emission standards, or emissions limitations** on criteria pollutants, consistent with the authority of the department provided under RCW 70A.15.3000, and may consider alternative mitigation actions that would reduce criteria pollution by similar amounts; and

# Rulemaking Timeline (tentative topics and dates)





# Questions and Answers





# Conclusion

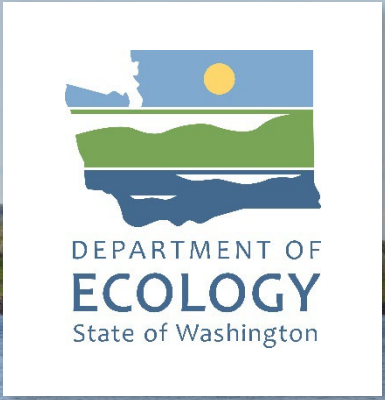


# More Information and Resources

- Rulemaking webpage  
<https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-448>
- Public comment form  
<https://aq.ecology.commentinput.com/?id=peMcrVEmd>
- Air Quality Survey  
<https://www.surveymonkey.com/r/XS9BFS7>
- Overburdened Communities email distribution list  
[https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic\\_id=WAECY\\_217](https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_217)

The screenshot shows the 'Public Comment Form' interface for the Washington State Department of Ecology. The header includes the department's logo and a search bar. The form title is 'Public Comment Form' with a progress indicator showing '1 Comment', '2 Review', and '3 Your Copy'. The subject is 'Air Quality in Overburdened Communities Informal Comment Period'. A note states: 'Please note that this comment form is for the purpose of submitting a comment to the Washington State Department of Ecology. Contact information is optional if you want to receive future notices or responses related to this topic.' The 'Contact Information' section includes a note '\*Indicates Required Fields' and a 'Submitted By' dropdown menu with 'Please Select' as the current selection. Below this are two text input fields: 'First Name' (with placeholder 'Enter First Name') and 'Last Name' (with placeholder 'Enter Last Name').





# Thank you

Anthony Bruma  
Environmental Planner  
(564) 669-1484  
[anthony.bruma@ecy.wa.gov](mailto:anthony.bruma@ecy.wa.gov)



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