



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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October 5, 2009

NOTICE OF WITHDRAWAL

The Department of Ecology withdraws the following CR-101:

- WSR 09-04-094
- Filing date: February 04, 2009
- Chapter 173-400 WAC, General regulations for air pollution sources

Immediately after withdrawing this CR-101, Ecology is filing a CR-101 that includes two additional sections.

The new sections are WAC 173-400-036, Nonroad engines and WAC 173-400-111, Notice of Construction procedures for sources and portable sources. Nonroad engines are currently regulated by WAC 173-400-035, which also regulates portable sources. As there are substantial differences between portable source and nonroad engine permits, we are separating them into two sections.

WAC 173- 400-110 also covers two topics: new source applicability and the new source review permit process. The establishment of WAC 173-400-111 allows each of these topics to have its own section, making the rule easier to administer for the permitting authority and the applicant.

During the rule development process, the advisory committee identified an opportunity to improve the rule structure by creating two new sections. The intent of this action is to improve the rule structure and make it easier to implement.

Sincerely,

Stuart A. Clark
Air Quality Program Manager

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 10, 2009

TIME: 3:28 PM

WSR 09-23-050