



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Washington State Department of Ecology AO # 12-04

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose:

Solid Fuel Burning Devices (Chapter 173-433 WAC) helps to reduce Washington's wood smoke emissions to help meet federal air quality standards. The focus of this rule making is to:

- Modify thresholds for calling burn bans in areas at risk for nonattainment as outlined in law.
- Align the rule with other law changes.
- Meet Environmental Protection Agency (EPA) requirements.
- Help Washington's efforts to improve air quality in areas affected by pollution from wood stoves.
- Include housekeeping changes that improve rule clarity and consistency.

Citation of existing rules affected by this order:

Repealed:
 Amended: Chapter 173-433 WAC
 Suspended:

Statutory authority for adoption: Chapter 70.94 RCW

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 13-20-129 on October 02, 2013.
 Describe any changes other than editing from proposed to adopted version:

We did not make any changes.

Date adopted: January 23, 2014

NAME (TYPE OR PRINT)
 Maia D. Bellon

SIGNATURE

TITLE
 Director, Department of Ecology

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: January 23, 2014
TIME: 5:24 PM

WSR 14-04-013

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	<u>1</u>	Amended	<u>2</u>	Repealed	_____
Recently enacted state statutes:	New	<u>1</u>	Amended	<u>2</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	<u>6</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____