

**WAC 197-11-970 Determination of nonsignificance (DNS).**

DETERMINATION OF NONSIGNIFICANCE

**Description of proposal:**

Ecology is proposing to amend Chapter 173-401 WAC Operating Permit Regulation. Amendments will:

- Update language for the complexity portion of Ecology's AOP fee to:
  - Allow flexibility for Ecology to develop fairer fee distribution associated with Ecology's work load for Ecology AOP sources.
  - Establish annual public process for setting the distribution of the fee burden. Some fees for Ecology's sources will increase and others may decrease.
- Revise non-statutory audit provisions to update fiscal and performance audit requirements.
- Clarify applicability requirements, including for nonmajor AOP sources, to align with federal rule.
- Update rule to be consistent with state and federal rules, correct errors, and clarify language where needed.

**Proponent:** Washington State Department of Ecology, Air Quality Program

**Location of proposal, including street address, if any:** Not applicable. This rule applies statewide.

**Lead agency:** Department of Ecology

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

X This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by 9/18/15.

**Responsible Official:** Stu Clark

**Position/title:** Program Manager      **Phone:** (360)407-6880

**Address:** Air Quality Program, PO Box 47600, Olympia, WA 98504-7600

**Date:**

**Signature:**