

Welcome

**MTCA / SMS Advisory Group
&
Sediment Workgroup**

Joint Meeting

December 17, 2010

EXECUTIVE ORDER 10-06

SUSPENDING NON-CRITICAL RULE DEVELOPMENT AND ADOPTION

Guidelines provided to agencies by OFM

Regulations may continue through the rule-making process if they are:

- **Required by federal or state law** or required to maintain federally delegated or authorized programs
- Required by court order
- Necessary to manage budget shortfalls, maintain fund solvency, or for revenue generating activities
- **Necessary to protect public health, safety, and welfare** or necessary to avoid an immediate threat to the state's natural resources
- **Beneficial to or requested or supported by the regulated entities, local governments or small businesses that it affects**
- The subject of negotiated rule-making or pilot rule-making that involved substantial participation by interested parties before the development of the proposed rule
- A permanent rule previously covered by emergency rules
- An expedited rule under RCW 34.05.353 where the proposed rules relate only to internal governmental operations.

Toxics Cleanup Program Rulemaking

- **The Underground Storage Tank rule** - continuing.
The UST program is a federally delegated program.
- **Separate MTCA and SMS rulemaking efforts.**
Suspend work on the MTCA rule for one year.
Continuing work on the SMS rule.