

ANALYSIS OF HB 1033

House Agriculture & Ecology Committee
1997

January 20,

BACKGROUND:

The state's Clean Air Act requires the Department of Ecology (DOE) or the board of an activated, local air pollution control authority to require renewable permits for the operation of air contaminant sources. (RCW 70.94.161.) The operating permits apply to all sources where required by the federal Clean Air Act and, with certain limitations, to any source that may cause or contribute to air pollution in such a quantity as to create a threat to the public health or welfare. (RCW 70.94.161(4).) For sources or categories of sources not required to obtain a permit, the DOE or such a board may set control technology requirements by rule. (RCW 70.94.161(16).) In addition, the DOE or such a board may classify air contaminant sources that may cause or contribute to air pollution and require registration and reporting for these classes of sources. (RCW 70.94.151(1).) The DOE or such a board may also require registrations to be accompanied by a registration fee and may determine the amount of the fee. The fees may be set only to compensate for certain specified costs of administering the registration program. (RCW 70.94.151(2).)

The Department of Ecology has adopted rules implementing the registration program. (See Chapter 173-400 WAC.) One of the rules describes the purpose of the program as follows:

The registration program is a program to develop and maintain a current and accurate record of air contaminant sources. Information collected through the registration program is used to evaluate the effectiveness of air pollution control strategies and to verify source compliance with applicable air pollution requirements.— (WAC 173-400-099(1).)

SUMMARY:

Once a registration or report has been filed under the state's air pollution source registration program for a grain warehouse or grain elevator, a registration, report, or fee may not be again required for the warehouse or elevator after January 1, 1997. This prohibition does not apply if the grain storage or grain handling capacity of the warehouse or elevator is significantly expanded. If the capacity is expanded, any registration or reporting required under the program for the warehouse or elevator must be made by the date the warehouse or elevator receives grain from the first harvest season that occurs after the expansion.