

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

Amendments to the Olympic Region Clean Air Agency Regulations: Rule 6.1 Notice of Construction Required, 6.1.10 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source, and 8.12 Gasoline Stations-Applicability.

2. Name of applicant: Olympia Region Clean Air Agency (ORCAA)
3. Address and phone number of applicant and contact person:
Olympic Region Clean Air Agency
2940 Limited Lane NW
Olympia, WA 98502
Contact: Lauren Whybrew, Phone: (360) 539-7610
4. Date checklist prepared: May 15, 2019
5. Agency requesting checklist: Olympic Region Clean Air Agency
6. Proposed timing or schedule (including phasing, if applicable):
 - CR-102 filed with the Office of the Code Reviser: May 15, 2019
 - Written Public Comment Deadline: July 8, 2019
 - Public Hearing: July 10, 2019 at 10am
 - Proposed Board adoption date: July 10, 2019
 - Proposed CR-103 filed with Office of the Code Reviser: July 10, 2019
 - Proposed rule effectiveness date: August 11, 2019
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
 - Yes. After the rule is final, ORCAA may submit a future request to EPA for inclusion of portions of this rulemaking in the Washington State Implementation Plan (SIP) for Air Quality, in compliance with requirements of the Federal Clean Air Act. The SIP comprises federally-approved control strategies to minimize emissions of criteria air pollutants and their precursors adopted by state and local air pollution control agencies as required by the Federal Clean Air Act.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
 - None.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
 - Not applicable. This rule is not project specific; it is a proposed regulation implemented by ORCAA. Any site-specific application that is currently pending will be processed under the rules in affect at the time that the permit request was submitted.
10. List any government approvals or permits that will be needed for your proposal, if known.
 - Not applicable.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This rule revision has five primary objectives:

- Incorporate 'permit streamlining' provisions to reduce permitting resources spent by industry and ORCAA for qualifying gas stations.
- Outline air related best management practices (BMPs) for gasoline dispensing facilities
- Include pertinent State and Federal requirements for gas stations.
- Clearly outline and require periodic testing to ensure gasoline tanks at gasoline dispensing facilities are operated and maintained in a vapor-tight condition and in good working order.
- Incorporate equipment requirements for new and upgraded gasoline dispensing facilities.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

- The result of this proposal is an update of Olympic Region Clean Air Agency regulations as enforced by the Olympic Region Clean Air Agency within Clallam, Grays Harbor, Jefferson, Mason, Pacific and Thurston Counties. It is not a site-specific proposal.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

- Not Applicable.

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

b. What is the steepest slope on the site (approximate percent slope)?

- Not Applicable.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

- Not Applicable

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

- Not Applicable

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

- Not Applicable

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

- Not Applicable

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

- Not Applicable

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

- Not Applicable

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

- There are no substantive emission increases expected as a result of these proposed regulation changes. Emissions to air from gasoline dispensing facilities are expected to decrease through monitoring or operating equipment and repair as necessary.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

- Not Applicable.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

- There are no substantive emission increases expected as a result of these regulation changes.

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- Not applicable.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

- Not applicable.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

- Not applicable.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

- Not applicable.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

- Not applicable.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
- Not applicable.

b. Ground Water: [\[help\]](#)

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
- Not applicable.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
- Not applicable.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
- Not applicable.
- 2) Could waste materials enter ground or surface waters? If so, generally describe.
- Not applicable.
- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.
- Not applicable.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

- Not applicable.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

- ___deciduous tree: alder, maple, aspen, other
- ___evergreen tree: fir, cedar, pine, other
- ___shrubs
- ___grass
- ___pasture
- ___crop or grain
- ___Orchards, vineyards or other permanent crops.
- ___wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ___water plants: water lily, eelgrass, milfoil, other

____ other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?
 - Not applicable.
- c. List threatened and endangered species known to be on or near the site.
 - Not applicable.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
 - Not applicable.
- e. List all noxious weeds and invasive species known to be on or near the site.
 - Not applicable.

5. **Animals** [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

- Not applicable.
- b. List any threatened and endangered species known to be on or near the site.
 - Not applicable.
- c. Is the site part of a migration route? If so, explain.
 - Not applicable.
- d. Proposed measures to preserve or enhance wildlife, if any:
 - Not applicable.
- e. List any invasive animal species known to be on or near the site.
 - Not applicable.

6. **Energy and Natural Resources** [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
 - Not applicable.

b. Would your project affect the potential use of solar energy by adjacent properties?

If so, generally describe.

- Not applicable.

c. What kinds of energy conservation features are included in the plans of this proposal?

List other proposed measures to reduce or control energy impacts, if any:

- Not applicable.

7. Environmental Health [\[help\]](#)

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

- This rule revision will decrease public air exposure to toxic chemicals from gasoline stations by promoting better controls and maintenance of equipment. Overall, these regulations reduce environmental risk hazards.
- 1) Describe any known or possible contamination at the site from present or past uses.
 - Not applicable.
 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
 - Not applicable.
 - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
 - Not applicable.
 - 4) Describe special emergency services that might be required.
 - Not applicable.
 - 5) Proposed measures to reduce or control environmental health hazards, if any:
 - Not applicable.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

- Not applicable

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

- Not applicable

3) Proposed measures to reduce or control noise impacts, if any:

- Not applicable

8. *Land and Shoreline Use* [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
- Not applicable
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
- Not applicable
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:
- Not applicable
- c. Describe any structures on the site.
- Not applicable
- d. Will any structures be demolished? If so, what?
- Not applicable
- e. What is the current zoning classification of the site?
- Not applicable
- f. What is the current comprehensive plan designation of the site?
- Not applicable
- g. If applicable, what is the current shoreline master program designation of the site?
- Not applicable
- i. Has any part of the site been classified as a critical area by the city or county? If so, specify.
- Not applicable
- i. Approximately how many people would reside or work in the completed project?
- Not applicable
- j. Approximately how many people would the completed project displace?
- Not applicable
- k. Proposed measures to avoid or reduce displacement impacts, if any:
- Not applicable
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

- Not applicable

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

- Not applicable

9. Housing [\[help\]](#)

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

- Not applicable

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

- Not applicable

c. Proposed measures to reduce or control housing impacts, if any:

- Not applicable

10. Aesthetics [\[help\]](#)

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

- Not applicable

b. What views in the immediate vicinity would be altered or obstructed?

- Not applicable

b. Proposed measures to reduce or control aesthetic impacts, if any:

- Not applicable

11. Light and Glare [\[help\]](#)

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

- Not applicable

b. Could light or glare from the finished project be a safety hazard or interfere with views?

- Not applicable

c. What existing off-site sources of light or glare may affect your proposal?

- Not applicable

d. Proposed measures to reduce or control light and glare impacts, if any:

- Not applicable

12. Recreation [\[help\]](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

- Not applicable
- b. Would the proposed project displace any existing recreational uses? If so, describe.
- Not applicable
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
- Not applicable

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
- Not applicable
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
- Not applicable
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
- Not applicable
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.
- Not applicable

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
- Not applicable
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
- Not applicable
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
- Not applicable
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

- Not applicable
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
- Not applicable
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
- Not applicable
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- Not applicable
- h. Proposed measures to reduce or control transportation impacts, if any:
- Not applicable

15. Public Services [\[help\]](#)

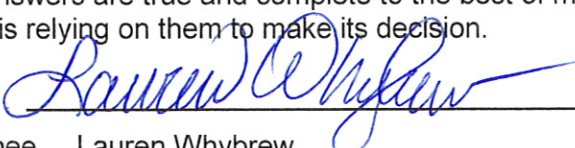
- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
- Not applicable
- b. Proposed measures to reduce or control direct impacts on public services, if any.
- Not applicable

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:
 electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
 other _____
- Not applicable
- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
- Not applicable

C. Signature [\[HELP\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee Lauren Whybrew

Position and Agency/Organization ORCAA

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
 - There are no substantive emission increases expected as a result of these proposed regulations. Emissions to air from gasoline dispensing facilities are expected to decrease through monitoring of operating equipment and repair as necessary.

Proposed measures to avoid or reduce such increases are:

- There are no substantive emission increases expected as a result of these regulation changes.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
 - Plants, animals, fish and marine life may benefit from improved air quality.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

- Air pollution control measures are intended to protect human health and the environment.

3. How would the proposal be likely to deplete energy or natural resources?
 - This proposal will not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

- This proposal will not impact energy and natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
 - ORCAA jurisdiction (i.e., Clallam, Grays Harbor, Jefferson, Mason, Pacific and Thurston Counties) includes a variety of land classifications including environmentally sensitive areas and areas designated for governmental protection (e.g, Olympic National Park, Colonel Bob Wilderness). This rule revision does not change how these areas are governed. However, this rule revision will continue to implement air pollution control measures for sources within ORCAA's jurisdiction to protect the environment and air quality.

Proposed measures to protect such resources or to avoid or reduce impacts are:

- ORCAA will continue to enforce the promulgated rules throughout our jurisdiction that protect air quality and the environment.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

- Not applicable.

Proposed measures to avoid or reduce shoreline and land use impacts are:

- Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

- Not applicable.

Proposed measures to reduce or respond to such demand(s) are:

- Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

- These rules implement the Washington Clean Air Act. The changes are proposed to clarify and reconcile the ORCAA rule language to better align with state and federal regulations and laws.

AMENDATORY SECTION

RULE 6.1 NOTICE OF CONSTRUCTION REQUIRED

- (a) Approval of a Notice of Construction (NOC) Application required. It shall be unlawful for any person to cause or allow the following actions unless a ~~((“))~~ Notice of Construction ~~((“NOC”))~~ application has been filed with and approved by the Agency, except for those actions involving stationary sources excluded under Rule 6.1(b) and (c):
- (1) Construction, installation, or establishment of any stationary source; ~~((or))~~
 - (2) Modification to any existing stationary source ~~((:))~~; or,
 - (3) Replacement or substantial alteration of emission control technology installed on an existing stationary source.
- (b) Exemption provided Notice of Intent to Operate (NOI). An NOC application and prior approval by the Agency is not required prior to construction, installation, establishment or modification of the ~~((following types of))~~ stationary sources listed below, ~~((provided that))~~ if a complete ~~((“))~~ Notice of Intent to Operate ~~((“has been”))~~ is filed with the Agency, ~~((in accordance with))~~ Procedures for submitting an NOI are contained in Rule 6.1.1:
- (1) Temporary Portable Stationary Sources. Temporary portable stationary sources that have been previously approved by Ecology or a local air pollution control authority in the State of Washington through an NOC application.
 - (2) Stationary Sources based on Potential to Emit. Any stationary source that:
 - (i) ~~((Will not result in emission of any toxic air pollutants listed in WAC 173-460-150 (Class A Toxic Air Pollutants); and,~~
 - (ii) Will have a combined uncontrolled potential to emit from all emission units less than:
 - (A) 0.5 tons per year of any criteria pollutant; and,
 - (B) 1.0 tons per year of total criteria pollutants and VOC combined; and,
 - (C) 0.005 tons per year of lead; and,
 - (D) ~~((100 pounds per year of any))~~ The de minimis emission rate specified for each ~~((“))~~ Toxic ~~((“a))~~ Air ~~((“p))~~ Pollutant listed in WAC 173-460-~~((160))~~ 150 ~~((Class B Toxic Air Pollutants))~~; and,
 - (E) 1.0 tons per year of ozone depleting substances combined.

(3) Gasoline Dispensing Facilities (GDF). Construction or modification of a gasoline dispensing facility, or replacement or substantial alteration of vapor recovery systems, provided that:

(i) The installed equipment is in accordance with the current California Air Resources Board (CARB) Executive Orders listed on the GDF Notification form effective at the time of the filing;

(ii) The GDF is not part of a stationary source subject to the Air Operating Program (Rule 5);

(iii) The GDF is not subject to any of the Stage II requirements in WAC 173-491-040(5); and

(iv) The project does not involve the removal of a Stage II vapor recovery system.

(c) Categorical Exemptions. An NOC application and prior approval by the Agency is not required prior to construction, installation, establishment or modification of stationary sources in the following stationary source categories, ~~((provided that))~~ if sufficient records are kept ~~((to))~~ documenting the exemption:

Maintenance/construction:

- (1) Cleaning and sweeping of streets and paved surfaces;
- (2) Concrete application, and installation;
- (3) Dredging wet spoils handling and placement;
- (4) Paving application and maintenance, excluding asphalt plants;
- (5) Plant maintenance and upkeep activities (grounds keeping, general repairs, routine housekeeping, routine plant painting, welding, cutting, brazing, soldering, plumbing, retarring roofs, etc.);
- (6) Plumbing installation and plumbing protective coating application associated with plant maintenance activities;
- (7) Roofing application;
- (8) Insulation application and maintenance, excluding products for resale;
- (9) Janitorial services and consumer use of janitorial products;
- (10) Asphalt laying equipment including asphalt-roofing operations (not including manufacturing or storage);
- (11) Blast cleaning equipment that uses a suspension of abrasive in liquid water;
- (12) Spray painting or blasting equipment used at temporary locations to clean or paint bridges, water towers, buildings, or similar structures.

Storage Tanks:

- (13) Lubricating oil storage tanks except those facilities that are wholesale or retail distributors of lubricating oils;

- (14) Polymer tanks and storage devices and associated pumping and handling equipment, used for solids dewatering and flocculation;
- (15) Storage tanks, reservoirs, pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions;
- (16) Process and white-water storage tanks;
- (17) Storage tanks and storage vessels, with lids or other appropriate closure and less than 260-gallon capacity (35 cft);
- (18) Gasoline storage tanks less than 2,000 gallons storage capacity;
- (19) Gasoline dispensing facilities with a cumulative gasoline storage capacity of less than 10,000 gallons;
- ~~((18))~~ (20) Storage tanks of a capacity of 10,000 gallons or less, with lids or other appropriate closure, and for the storage of materials containing organic compounds, but not for use with materials containing toxic air pollutants (as defined in chapter 173-460 WAC);
- ~~((19))~~ (21) Storage tanks of a capacity of 40,000 gallons or less, with lids or other appropriate closure, used for the storage of organic compounds, but not for use with materials containing toxic air pollutants (as defined in chapter 173-460 WAC), with a true vapor pressure less than 0.01 kPa (0.002 psia) (0.0001 atm);
- ~~((20))~~ (22) Storage tanks of a capacity of 40,000 gallons or less used for the storage of butane, propane, or liquefied petroleum gas;
- ~~((21))~~ (23) Tanks, vessels and pumping equipment, with lids or other appropriate closure for storage or dispensing of aqueous solutions of inorganic salts, bases and acids.
- ~~((22))~~ (24) Storage tanks used exclusively for storage of diesel fuel;
- ~~((23))~~ (25) Loading and unloading equipment used exclusively for the storage tanks exempted under this rule.

Combustion:

- ~~((24))~~ (26) Fuel burning equipment (not including incinerators) that:
 - (i) is used solely for a private dwelling serving five families or less; or
 - (ii) has a maximum heat input rate of 5 MMBtu/hr or less if burning natural gas, propane, or LPG; or
 - (iii) has a maximum heat input rate of 0.5 MMBtu/hr or less if burning waste-derived fuels; or
 - (iv) has a maximum heat input rate of 1 MMBtu/hr or less if burning recycled or used oil per the requirements of RCW 70.94.610; or
 - (v) has a maximum heat input rate of 1 MMBtu/hr or less if burning any other type of fuel and with less than or equal to 0.05% sulfur by weight.

~~((25))~~(27) All stationary gas turbines with a rated heat input <10 million Btu per hour.

~~((26))~~(28) Stationary internal combustion engines having rated capacity:

- (i) <50 horsepower output; or
- (ii) <500 horsepower and used only for standby emergency power generation.

~~((27))~~(29) All nonroad engines subject to 40 CFR Part 89.

Material handling:

~~((28))~~(30) Storage and handling of water-based lubricants for metal working where organic content of the lubricant is <10%;

~~((29))~~(31) Equipment used exclusively to pump, load, unload, or store high boiling point organic material in tanks less than one million gallons, material with initial atmospheric boiling point not less than 150(~~(E))~~°C or vapor pressure not more than 5 mm Hg @ 21(~~(E))~~°C, with lids or other appropriate closure.

Water treatment:

~~((30))~~(32) Septic sewer systems, not including active wastewater treatment facilities;

~~((31))~~(33) NPDES permitted ponds and lagoons used solely for the purpose of settling and suspended solids and skimming of oil and grease;

~~((32))~~(34) De-aeration (oxygen scavenging) of water where toxic air pollutants as defined in chapter 173-460 WAC are not emitted;

~~((33))~~(35) Process water filtration system and demineralizer vents;

~~((34))~~(36) Sewer manholes, junction boxes, sumps and lift stations associated with wastewater treatment systems;

~~((35))~~(37) Demineralizer tanks;

~~((36))~~(38) Alum tanks;

~~((37))~~(39) Clean water condensate tanks;

~~((38))~~(40) Oil/water separators, except those at petroleum refineries;

~~((39))~~(41) Equipment used exclusively to generate ozone and associated ozone destruction equipment for the treatment of cooling tower water or for water treatment processes.

~~((40))~~(42) Municipal sewer systems, including wastewater treatment plants and lagoons with a design capacity of one million gallons per day or less, provided that they do not use anaerobic digesters, chlorine disinfections or sewage sludge incinerators.

Environmental chambers and laboratory equipment:

~~((41))~~(43) Environmental chambers and humidity chambers not using toxic air pollutant gases, as regulated under chapter 173-460 WAC;

- ~~((42))~~(44) Gas cabinets using only gases that are not toxic air pollutants regulated under chapter 173-460 WAC;
- ~~((43))~~(45) Installation or modification of a single laboratory fume hood;
- ~~((44))~~(46) Laboratory calibration and maintenance equipment.

Monitoring/quality assurance/testing:

- ~~((45))~~(47) Equipment and instrumentation used for quality control/assurance or inspection purposes;
- ~~((46))~~(48) Hydraulic and hydrostatic testing equipment;
- ~~((47))~~(49) Sample gathering, preparation and management;
- ~~((48))~~(50) Vents from continuous emission monitors and other analyzers.

Miscellaneous:

- ~~((49))~~(51) Single-family residences and duplexes;
- ~~((50))~~(52) Plastic pipe welding;
- ~~((51))~~(53) Primary agricultural production activities including soil preparation, planting, fertilizing, weed and pest control, and harvesting;
- ~~((52))~~(54) Insecticide, pesticide, or fertilizer spray equipment;
- ~~((53))~~(55) Comfort air conditioning;
- ~~((54))~~(56) Flares used to indicate danger to the public;
- ~~((55))~~(57) Natural and forced air vents and stacks for bathroom/toilet activities;
- ~~((56))~~(58) Personal care activities including establishments like beauty salons, beauty schools, and hair cutting establishments;
- ~~((57))~~(59) Recreational fireplaces including the use of barbecues, campfires, and ceremonial fires;
- ~~((58))~~(60) Tobacco smoking rooms and areas;
- ~~((59))~~(61) Noncommercial smokehouses;
- ~~((60))~~(62) Blacksmith forges for single forges;
- ~~((61))~~(63) Vehicle maintenance activities, not including vehicle surface coating;
- ~~((62))~~(64) Vehicle or equipment washing;
- ~~((63))~~(65) Wax application;
- ~~((64))~~(66) Oxygen, nitrogen, or rare gas extraction and liquefaction equipment not including internal and external combustion equipment;
- ~~((65))~~(67) Ozone generators and ozonation equipment;
- ~~((66))~~(68) Ultraviolet curing processes, to the extent that toxic air pollutant gases as defined in chapter 173-460 WAC are not emitted;
- ~~((67))~~(69) Electrical circuit breakers, transformers, or switching equipment installation or operation;
- ~~((68))~~(70) Pneumatically operated equipment, including tools and hand-held applicator equipment for hot melt adhesives;

- ~~((69))~~(71) Fire fighting and similar safety equipment and equipment used to train fire fighters;
- ~~((70))~~(72) Production of foundry sand molds, unheated and using binders less than 0.25% free phenol by sand weight;
- ~~((71))~~(73) Natural gas pressure regulator vents, excluding venting at oil and gas production facilities and transportation marketing facilities;
- ~~((72))~~(74) Solvent cleaners less than 10 square feet air-vapor interface with solvent vapor pressure not more than 30 mm Hg(~~(G)~~) @21(~~(E)~~)°C, and not containing toxic air pollutants (as defined in chapter 173-460 WAC);
- ~~((73))~~(75) Surface coating, aqueous solution or suspension containing <1% (by weight) VOCs, and/or toxic air pollutants as defined in chapter 173-460 WAC;
- ~~((74))~~(76) Cleaning and stripping activities and equipment using solutions having <1% VOCs (by weight); on metallic substances, acid solutions are not exempt;
- ~~((75))~~(77) Dip coating operations, using materials less than 1% VOCs (by weight) and/or toxic air pollutants as defined in chapter 173-460 WAC.
- ~~((76))~~(78) Laundry dryers, extractors or tumblers used exclusively for the removal of water from fabric;
- ~~((77))~~(79) Residential composting facilities;
- ~~((78))~~(80) Restaurants and other retail food preparing establishments;
- ~~((79))~~(81) Routing, turning, carving, cutting and drilling equipment used for metal, wood, plastics, rubber, leather or ceramics;
- ~~((80))~~(82) Steam cleaning equipment used exclusively for that purpose;
- ~~((81))~~(83) Vacuum cleaning systems used exclusively for office or residential housekeeping;
- ~~((82))~~(84) Vacuum producing devices used in laboratory operations and vacuum producing devices that no not remove or convey air contaminants from or to another source;
- ~~((83))~~(85) Vents used exclusively for:
- (i) Sanitary or storm drainage systems; or
 - (ii) Safety valves
- ~~((84))~~(86) Washing or drying equipment used for products fabricated from metal or glass, if no volatile organic material is used in the process.
- ~~((85))~~(87) Welding, brazing or soldering equipment;
- ~~((86))~~(88) Coffee roasters with a design capacity less than 10 pounds per batch;
- ~~((87))~~(89) Bark and soil screening operations;
- ~~((88))~~(90) Portable sand and gravel plants and crushed stone plants with a cumulative rated capacity of all initial crushers less than or equal to 150 tons per hour;

~~((89))~~(91) Fixed sand and gravel plants and crushed stone plants with a cumulative rated capacity of all initial crushers less than or equal to 25 tons per hour.

AMENDATORY SECTION

Rule 6.1.10 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source

- (a) Any person proposing to replace or substantially alter the emission control technology installed on an existing stationary source shall file a Notice of Construction (NOC) application with the Agency. Replacement or substantial alteration of control technology does not include routine maintenance, repair or similar parts replacement.
- (b) For projects not otherwise reviewable under Rule 6.1(a)(1) or Rule 6.1(a)(2), the Agency may:
 - (1) Require that the owner or operator employ RACT on the affected stationary source;
 - (2) Prescribe reasonable operation and maintenance conditions for the control equipment; and,
 - (3) Prescribe other requirements as authorized by chapter 70.94 RCW.
- (c) Within ~~((thirty))~~30 days ~~((of))~~of receipt of a Notice of Construction application under this rule the Agency shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary to complete the application. Within ~~((thirty))~~30 days of receipt of a complete NOC application under this rule the Agency shall either issue an order of approval or a proposed RACT determination for the proposed project.
- (d) Construction shall not ~~((=))~~commence~~((=))~~ on a project subject to review under this rule until the Agency issues a final order of approval. However, any NOC application filed under this rule shall be deemed to be approved without conditions if the Agency takes no action within ~~((thirty))~~30 days of receipt of a complete NOC application.
- (e) Approval to replace or substantially alter emission control technology shall become invalid if construction is not commenced within ~~((eighteen))~~18 months after receipt of such approval, if construction is discontinued for a period of ~~((eighteen))~~18 months or more, or if construction is not completed within a reasonable time. The Agency may extend the ~~((eighteen))~~18-month period upon satisfactory showing that an extension is justified. This provision does not apply to the~~((time))~~ period between construction of the approved phases of a phased construction project; each phase must commence construction within ~~((eighteen))~~18 months of the projected and approved commencement date.

AMENDATORY SECTION

RULE 8.12 GASOLINE (~~(STATIONS – APPLICABILITY)~~) DISPENSING FACILITIES

This regulation (~~(shall apply)~~) applies to all gasoline dispensing facilities (~~(that distribute gasoline, including automotive, aviation, and marine uses)~~).

Rule 8.12.1 Definitions

Unless a different meaning is clearly required by context, the following words and phrases, as used in this Rule, shall have the following meanings:

~~(“Bottom Loading” means the filling of a tank through a line entering the bottom of the tank.~~

~~“Bulk Gasoline Plant” means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank and reloads gasoline into transport tanks.)~~

“CARB” means California Air Resources Board.

“CARB Certified” means a vapor recovery system, equipment, or any component thereof, for which the California Air Resources Board (CARB) has evaluated its performance and issued an Executive Order.

“CARB Executive Order” means a document issued by the Executive Officer of the California Air Resources Board that specified the requirements for specific vapor control equipment and the procedures used in installing, maintaining, inspecting, or testing vapor recovery systems.

“Enhanced Vapor Recovery (EVR)” means performance standards and specifications set forth in the CARB CP 201 (Certification Procedure for Vapor Recovery Systems at gasoline dispensing facilities) Sections 3 through 9.

“Gasoline” means a petroleum distillate, which is a liquid at standard conditions and has a true vapor pressure greater than four pounds per square inch absolute at ~~(twenty degrees Celsius,)~~ 20°C and is used as a fuel for internal combustion engines. A ~~(Is a)~~ny liquid sold as a vehicle fuel with a true vapor pressure greater than four pounds per square inch absolute at ~~(twenty degrees Celsius)~~ 20°C ~~(shall be)~~ is considered ‘gasoline’ for purpose of this regulation.

“Gasoline Dispensing Facility” means any site dispensing gasoline ~~(into motor vehicle fuel tanks)~~ from stationary storage tanks including facilities dispensing gasoline for automotive, aviation, and marine uses.

~~(“Gasoline Loading Terminal” means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks.~~

~~“Motor Vehicle” means any mode of travel utilizing gasoline as energy to provide locomotion.~~

~~“New Gasoline Dispensing Facility” means the construction of a gasoline dispensing facility on a site that has not had an active gasoline dispensing facility within the past five years.)~~

~~“Stage I” means gasoline vapor recovery during all gasoline marketing transfer operations except motor vehicle refueling.~~

~~“Stage II” means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.~~

~~“Submerged Fill Line” means any discharge pipe or nozzle designed to be within six (6) inches of the bottom of the tank and submerged at all times. ((which meet either of the following conditions:~~

- ~~(a) — Where the tank is filled from the top, the end of the discharge pipe or nozzle must be totally submerged when the liquid level is six inches from the bottom of the tank, or:~~
- ~~(b) — Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is six inches from the bottom of the tank.)~~

~~“Throughput” means the amount of ((material))gasoline passing through a facility.~~

~~“Transport Tank” means a container used for shipping gasoline over roadways.~~

~~(“True Vapor Pressure” means the equilibrium partial pressure of petroleum liquid as determined by methods described in American Petroleum Institute Bulletin 2517, 1980.~~

~~“Upgrade” means the modification of a gasoline storage tank or piping to add cathodic protection, tank lining or spill and overfill protection that involved removal of ground or ground cover above a portion of the product piping.~~

~~“Vapor Balance System” means a system consisting of the transport tank, gasoline vapor transfer lines, storage tank, and all tank vents designed to route displaced gasoline vapors from a tank being filled with liquid gasoline.)~~

~~“Vapor ((Control))Recovery System” means equipment that((a system designed and operated to)) reduces ((or limit-))the emissions of ((gasoline vapors))volatile~~

organic compounds ((in))to the ambient air((, which is designed according to WAC 173-491)).

Rule 8.12.2 General Requirements

- (a) All gasoline ((storage tanks with a capacity greater than 2,000 gallons shall be equipped with submerged fill lines when upgraded, but no later than December 31, 1998.))dispensing facilities with gasoline storage tanks, regardless of size shall:
- (1) Not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
- (i) Minimize gasoline spills;
 - (ii) Clean up spills as soon as practicable;
 - (iii) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use; and
 - (iv) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
- (b) Gasoline storage tanks with a capacity of 2,000 gallons or more shall be equipped with submerged fill lines.
- (c) Gasoline dispensing facilities may be subject to registration per Rule 4.1.
- (d) Gasoline dispensing facilities may be subject to Notice of Construction requirements per Rule 6.1.

Rule 8.12.3 Vapor Recovery ((~~Stage I~~))Requirements

((Stage I vapor recovery is required for all gasoline dispensing facilities as follows:))

- (a) CARB Certified((The facilities that have an annual throughput greater than 360,000 gallons of gasoline shall have)) Stage I ~~Enhanced~~ ((v))Vapor ((r))Recovery (EVR)((by December 31, 1993 or when upgraded, whichever is sooner.)), or equivalent equipment as approved by the Agency, is required for any new or upgraded gasoline storage tank with a storage capacity of 2,000 gallons or more and located at a gasoline dispensing facility with a cumulative gasoline storage capacity of 10,000 gallons or more. Upgrading means replacing a gasoline storage tank, or substantially altering any component of the Stage I vapor recovery system. Prior to commencing construction, modifications, or upgrades, gasoline dispensing facilities must comply with the applicable requirements in Rule 6.1.
- (b) ((The facilities that have an annual throughput greater than 100,000, but less than or equal to 360,000 gallons of gasoline shall have Stage I vapor recovery by December 31, 1998 or when upgraded, whichever is sooner.))Nothing in Rule 8.12 precludes the Agency from requiring

installation of a Stage II vapor recovery system in conjunction with approval of a Notice of Constructing application if Stage II vapor recovery is necessary to assure compliance with applicable air regulations and standards.((

- ~~(c) Terminals and bulk plants that deliver gasoline to any facility equipped with Stage I vapor recovery shall be equipped with a vapor control system prior to December 31, 1998.~~
- ~~(d) Terminals and bulk plants with an annual throughput greater than 7,200,000 gallons per year shall be equipped with a vapor control system prior to December 31, 1993.))~~

Rule 8.12.4 ((~~Vapor Recovery Stage II~~))Testing Requirements

- ~~(a) ((Stage II vapor recovery is required at a gasoline dispensing facility supplying fuel to the general public under the following circumstances:))The owner or operator of a gasoline dispensing facility with a cumulative storage capacity of 10,000 gallons or more and equipped with Stage I EVR must conduct the following performance tests:~~
 - ~~(1) ((Any facility that dispenses in excess of one million two hundred thousand gallons (1,200,000) of gasoline per year and is located in Thurston County. This requirement will end on December 31, 2002, unless the Department of Ecology determines that Stage II is important to achieving or maintaining the National Ambient Air Quality Standard for Ozone in a nonattainment or maintenance plan county.))Initial performance testing shall be completed, for all performance tests listed in Table 1, after initial installation and prior to the facility dispensing fuel commercially; and,~~
 - ~~(2) Subsequent testing shall be conducted according to the schedule in Table 1.~~
- ~~(b) The owner or operator of a gasoline dispensing facility with a cumulative gasoline storage capacity of 10,000 gallons or more that is equipped with Stage I, but not equipped with Stage I EVR, shall conduct the appropriate Static Pressure Performance of Vapor Recovery Systems test in Table 1 at least once every 13 months.~~
- ~~(c) Tests shall be conducted in accordance with the CARB test procedure specified, or CARB-approved equivalent test procedures.~~
- ~~(d) Tests shall be performed by a third-party independent testing company trained in the testing methods.~~
- ~~(e) In the event of a failed performance test, the owner or operator shall correct the cause of the failure in accordance with Rule 8.12.5(c) and retest within 30 days of the date of the failed test.~~
- ~~(f) The owner or operator shall report to the Agency the results of all required performance testing within 30 days of the test date.~~

Table 1: Performance Testing

<u>A</u>	<u>An owner/operator of a facility with underground storage tanks shall conduct the following tests...</u>	<u>After the initial testing, the owner/operator shall conduct the subsequent tests...</u>
	<u>A1. TP-201.3 – Static Pressure Performance of Vapor Recovery Systems</u>	<u>at least once every 13 months</u>
	<u>A2. TP-201.1E – Leak Rate and Cracking Pressure of P/V Vent Valves</u>	<u>at least once every 37 months</u>
	<u>A3. TP-201.3C – Determination of Vapor Piping Connection to Underground Gasoline Storage Tanks (Tie-Tank Test)</u>	
	<u>A4. TP-201.1B – Static Torque of Rotatable Stage I Adaptors</u>	<u>at least once every 13 months</u>
	<u>A5. TP-201.1C or TP-201.1D¹ – Leak Rate of Drop Tube/Drain Valve Assembly or Leak Rate of Drop Tube/Overfill Prevention Device</u>	<u>at least once every 13 months</u>
<u>B</u>	<u>An owner/operator with aboveground storage tanks shall conduct the following tests...</u>	<u>After the initial testing, the owner/operator shall conduct the subsequent tests...</u>
	<u>B1. TP-206.3 or TP-201.3B² – Static Pressure Performance of Vapor Recovery Systems</u>	<u>at least once every 13 months</u>
	<u>B2. TP-201.1B – Static Torque of Rotatable Stage I Adaptors³</u>	<u>at least once every 13 months</u>
	<u>B3. TP-201.1E – Leak Rate and Cracking Pressure of P/V Vent Valves</u>	<u>at least once every 37 months</u>

¹ TP-201.1C has no overfill prevention device and TP-201.1D is required for drop tubes with overfill prevention

² TP-206.3 is required for aboveground storage tanks equipped with Stage I EVR

³ TP-201.1B only required for aboveground storage tanks equipped with Rotatable Stage I Adaptors

Rule 8.12.5 ((New Gasoline Dispensing Facilities)) Self-Inspection Requirements

~~((Nothing in Rule 8.12.4 shall preclude the Agency from requiring Stage II vapor recovery if it is determined to be BACT for control of air toxics or for the protection of human health and safety.))~~

(a) The owner or operator of a gasoline dispensing facility shall complete self-inspections of the vapor recovery system. The inspection must occur at least once a week, or after each gasoline delivery, whichever is less frequent. At a minimum, the following items shall be inspected:

- (1) All adaptors shall be equipped with vapor-tight caps;
- (2) All fill and vapor recovery wells or boxes shall be free of liquid gasoline;
- (3) All gasoline storage tank fill-pipes shall have gasketed seals in good working condition;
- (4) All caps shall have gasketed seals in good working condition; and,
- (5) Vapor recovery adaptors on the storage tanks shall seal upon disconnect.

(b) The dates and results of the self-inspections shall be recorded.

(c) No later than 15 days after discovery, the owner or operator shall take corrective actions to repair, replace or adjust defective equipment found during any of the following events:

- (1) Performance tests;
- (2) Routine maintenance checks;
- (3) Self-inspections; or,
- (4) Agency compliance inspections.

NEW SECTION

Rule 8.12.6 Recordkeeping Requirements

(a) The following records shall be maintained on site for no less than five years from origination, and copies made available to the Agency upon request:

- (1) Records of all maintenance and repair activities;
- (2) Records of all self-inspections conducted per Rule 8.12.5;
- (3) Records of all performance tests required by Rule 8.12.4; and,
- (4) Monthly gasoline throughput records.

(b) The following records shall be maintained on site for the life of the gasoline dispensing facility or the associated equipment, whichever is earlier:

- (1) Any determinations issued by the Agency per Rule 6.1;
- (2) Any GDF Notice of Intent to Operate submitted to the Agency per Rule 6.1(b)(3).