



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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December 13, 2016

Mr. Dennis McLerran, Regional Administrator
U.S. Environmental Protection Agency – Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

RE: Including Portions of the Energy Facility Site Evaluation Council's General and Operating Permit Regulations for Air Pollution Sources, Chapter 463-78 Washington Administrative Code in the Washington State Implementation Plan

Dear Mr. McLerran:

The Washington State Department of Ecology (Ecology) requests that the United States Environmental Protection Agency (EPA) approve portions of the Energy Facility Site Evaluation Council's (EFSEC's) current rule, Chapter 463-78 Washington Administrative Code (WAC), in the Washington State Implementation Plan (SIP). EFSEC's rule includes portions of Ecology's Chapter 173-400 WAC, which EFSEC has adopted by reference.

Chapters 80.50 and 70.94 Revised Code of Washington (RCW) authorize EFSEC to implement a statewide air quality program for certain types of energy facilities in Washington State. EFSEC has the authority to recover the entire cost of processing permit applications and monitoring compliance services, and these resources fund Ecology's and local clean air agencies' permitting and compliance services.

EFSEC adopted revisions to Chapter 463-78 WAC on July 27, 2015, to be consistent with current Ecology and federal regulations. EPA's approval of the rules into the SIP will allow EFSEC to implement a SIP-approved Prevention of Significant Deterioration (PSD) permit program. EPA's approval of this SIP revision clarifies EFSEC's rules that apply in lieu of Ecology's rule (Chapter 173-400 WAC) for federal enforceability purposes.

In support of EFSEC's request, Ecology requests EPA:

- Approve the inclusion of portions of EFSEC's revised Chapter 463-78 WAC in the Washington SIP.
- Grant EFSEC's request for a SIP-approved PSD permitting program.



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- Transfer from EPA to EFSEC the full regulatory authority over existing PSD permits issued to EFSEC regulated energy facilities by EPA, or EPA and EFSEC under the PSD program delegation agreement, since August 1977.

As the Governor's designee for the Washington SIP, I submit this package as a revision to the SIP for your review and approval. Ecology adopted this revision on December 13, 2016.

Ecology met all state and federal procedural requirements. Notice for public comment and opportunity to request a hearing was posted as required. The public comment period was from September 22, 2016, to November 8, 2016. Ecology did not receive a hearing request or any public comments on the SIP revision.

Ecology is submitting this SIP revision package through EPA's Central Data Exchange tool for electronic SIP submittal, e-SIP. Ecology will also post it on our website.

If you have any questions on this submittal, please contact Debebe Dererie at Debebe.Dererie@ecy.wa.gov or (360) 407-7558 or Alan Newman at Alan.Newman@ecy.wa.gov or 360-407-6810.

Sincerely,



Maia D. Bellon
Director

Enclosures: SIP Submittal package

cc: Jeff Hunt, EPA Region 10
EFSEC (with enclosures)
Records file (with enclosures)