



**PROPOSED RULE MAKING
(RCW 34.05.320)**

CR-102 (7/10/97)

Do NOT use for expedited adoption

Agency: Southwest Air Pollution Control Authority

Preproposal Statement of Inquiry was filed as WSR 00-02-072; or

Expedited Adoption--Proposed Rule Making notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4).

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

(a) Title of rule: (Describe Subject) SWAPCA 491, Emission Standards and Controls for Sources Emitting Gasoline Vapors

Purpose: To update SWAPCA 491 to be consistent with 173-491 WAC and to incorporate language similar to that proposed by Oregon DEQ for gasoline marine vessel loading and unloading vapor control requirements.

Other Identifying Information:

(b) Statutory authority for adoption:
RCW 70.94.141 and 151

Statute being implemented:
RCW 70.94.141 and RCW 70.94.165

(c) Summary: This proposal will make SWAPCA 491 consistent with 173-491 WAC and the rules adopted by Oregon DEQ under OAR 340-232-0030.

Reasons supporting proposal: To provide consistency between WAC 173-491 and SWAPCA 491 and to incorporate similar rules adopted by Oregon DEQ for vapor control requirements for gasoline emissions from marine vessel loading and unloading operations.

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting Paul Mairose	1308 NE 134th St., Vancouver, WA	360.574.3058 *30
2. Implementation Randy Peltier	" "	360.574.3058 *22
3. Enforcement Robert Elliott	" "	360.574.3058 *12

(e) Name of proponent (person or organization)
Southwest Air Pollution Control Authority

Private
 Public
 Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: The state implementation plan will be updated to reflect these amendments.

(g) Is rule necessary because of:

Federal Law? Yes No If yes, ATTACH COPY OF TEXT

Federal Court Decision? Yes No Citation:

State Court Decision? Yes No

(h) HEARING LOCATION: SWAPCA Office
1308 NE 134th Street
Vancouver WA 98685-2747

Date: 4/13/00 Time: 3:00 P.M.

Submit written comments to: Paul Mairose
1308 NE 134th Street, Vancouver WA 98685

FAX (360) 576-0925 By (date) 3/31/00

Assistance for persons with disabilities: Contact
Mary Allen 360.574.3058 *10 by 3/31/00

TDD (360) 574.3058 or ()

DATE OF INTENDED ADOPTION:
4/13/00

NAME (TYPE OR PRINT)
Robert Elliott

SIGNATURE

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

FEB 18 2000

TIME 11:25 AM

WSR 00-06-005

TITLE
Executive Director

DATE
2/15/00

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed changes will:

- 1) Provide consistency between 173-491 WAC and SWAPCA 491 for implementation of Stage II requirements.
- 2) Incorporate language similar to that adopted by Oregon DEQ in OAR 340-232-0030 for marine vessel vapor control requirements for gasoline vapors.
- 3) Provide for annual air-to-liquid testing on all vacuum assisted Stage II control systems. Currently, only a portion of the vacuum assist Stage II systems undergo annual testing as a result of the type of system and the date of installation. Due to the complexity of these systems, numerous failures are reported for this type of system. Annual testing will level the playing field for all vacuum assist systems and provide consistency with actions in other areas of Washington and California.

Does proposal change existing rules? YES NO **If yes, describe changes:**

The proposed changes will:

- 1) Provide consistency between 173-491 WAC and SWAPCA 491 for implementation of Stage II requirements.
- 2) Incorporate language similar to that adopted by Oregon DEQ in OAR 340-232-0030 for marine vessel vapor control requirements for gasoline vapors.
- 3) Provide for annual air-to-liquid testing on all vacuum assisted Stage II control systems. Currently, only a portion of the vacuum assist Stage II systems undergo annual testing as a result of the type of system and the date of installation. Due to the complexity of these systems, numerous failures are reported for this type of system. Annual testing will level the playing field for all vacuum assist systems and provide consistency with actions in other areas of Washington and California.

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

- Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to:

telephoning: ()
faxing: ()

- No. Explain why no statement was prepared.

This agency is not subject to the small business economic impact provision of the Administrative Procedures Act.

(l) Does RCW 34.05.328 apply to this rule adoption? Yes No

Please explain:

Pursuant to RCW 70.94.141(1), RCW 34.05.328 does not apply to this rule adoption.