



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Southwest Air Pollution Control Authority

- Permanent Rule
Emergency Rule
Expedited Adoption
Expedited Repeal

(1) Date of adoption: May 4, 2000

(2) Purpose:

To update SWAPCA 491 to be consistent with 173-491 WAC and to incorporate language similar to that adopted by Oregon DEQ for gasoline marine vessel loading and unloading vapor control requirements and to incorporate annual air-to-liquid testing on all vacuum assisted Stage II systems.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: SWAPCA 491-015, 491-020, 491-030, 491-040, 491-050

Suspended:

(4) Statutory authority for adoption: RCW 70.94.141

Other authority: RCW 70.94.165

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 00-06-005 on February 18, 2000 (date).

Describe any changes other than editing from proposed to adopted version:

NONE

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR on (date).

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

or Expedited Rule Making

31 days after filing

Immediately

Other (specify)

Later (specify)

(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

NAME (TYPE OR PRINT)

Robert D. Elliott

SIGNATURE

Robert D. Elliott

TITLE

Executive Director

DATE

5/22/00

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 24 2000

9:14

AM

PM

00-11-149

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New _____	Amended _____	Repealed _____
Federal rules or standards:	New _____	Amended _____	Repealed _____
Recently enacted state statutes:	New _____	Amended <u>3</u>	Repealed _____

**The number of sections adopted at the request of a nongovernmental entity:**

New \_\_\_\_\_ Amended \_\_\_\_\_ Repealed \_\_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New \_\_\_\_\_ Amended 5 Repealed \_\_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_\_ Amended 5 Repealed \_\_\_\_\_

**The number of sections adopted using:**

Negotiated rule making:	New _____	Amended <u>5</u>	Repealed _____
Pilot rule making:	New _____	Amended _____	Repealed _____
Other alternative rule making:	New _____	Amended _____	Repealed _____