



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Puget Sound Clean Air Agency

- Preproposal Statement of Inquiry was filed as WSR _____ ; or
- Expedited Rule Making--Proposed notice was filed as WSR _____ ; or
- Proposal is exempt under ~~RCW 34.05.310(4)~~ RCW 70.94.141(1).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

Amend Regulation I, Sections 8.09, 8.10, and 8.11
Adopt Regulation I, Section 8.13

Hearing location(s): The Seattle Public Library
Microsoft Auditorium
1000 4th Ave.
Seattle, WA 98104

Date: February 28, 2008 Time: 9:15 a.m.

Date of intended adoption: February 28, 2008
(Note: This is NOT the effective date)

Submit written comments to:

Name: Lynn Sykes – Puget Sound Clean Air Agency
Address: 1904 3rd Ave., #105
Seattle, WA 98101
e-mail outdoorburningcomments@pscleanair.org
fax (206) 343-7522 by (date) February 27, 2008

Assistance for persons with disabilities: Contact

Agency Receptionist (206) 689-4010 by February 21, 2008

TTY (800) 833-6388 or (800) 833-6385 (braille)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

To prohibit burning of land-clearing debris in King, Pierce, and Snohomish counties as of June 30, 2008.
To prohibit residential burning in King, Pierce, and Snohomish counties as of June 30, 2010.

Reasons supporting proposal: RCW 70.94.745(6) requires the Agency to prohibit land-clearing and residential burning in areas outside the UGAs and non-attainment areas when the Agency has determined that an alternate technology or method of disposing of the organic refuse is available, reasonably economical, and less harmful to the environment than burning. Based on evaluation, Agency staff believes that under WAC 173-425-040(5), reasonable, economical, and less harmful alternatives to land-clearing and residential burning exist in King, Pierce, and Snohomish Counties.

Statutory authority for adoption: chapter 70.94 RCW

Statute being implemented: RCW 70.94.141

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

DATE

January 22, 2008

NAME (type or print)

Dennis J. McLerran

SIGNATURE

TITLE

Executive Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 22, 2008

TIME: 12:19 PM

WSR 08-03-108

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Puget Sound Clean Air Agency

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Jim Nolan	1904 3 rd Ave., Suite 105 – Seattle, WA 98101	(206) 689-4053
Implementation....	Jim Nolan	1904 3 rd Ave., Suite 105 – Seattle, WA 98101	(206) 689-4053
Enforcement.....	Jim Nolan	1904 3 rd Ave., Suite 105 – Seattle, WA 98101	(206) 689-4053

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 contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

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

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: RCW 34.05.328 does not apply to local air agencies, per RCW 70.94.141.