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I would like to express my support for WSR 22-19-100's proposed rules submitted by the Department of Ecology. Permitting and licensing fees are an important tool for preventing pollution and combatting climate change. Though they do not necessarily perform the most impactful role when it comes to accomplishing those goals, they are an essential component in the broader regulatory scheme for mitigation of pollution and greenhouse gas emissions. It is important that these permitting programs continue to operate effectively, and I believe these proposed rules will promote that goal.

These changes to the Washington Administrative Code would permit the Department to more regularly adjust its fees pursuant to the Washington Clear Air Act. RCW 70A.15.6270 directs the Department of Ecology to collect fees sufficient to cover the costs of operating its related permit programs. Though more frequent fee updates will not necessarily have a direct and noticeable impact on emissions, it is important that the Department of Ecology remains capable of operating those programs. The current fees were established in 2012 and have not been updated since, leading to a gap in revenue generated by those permits and the costs of the permit programs themselves. These rules will allow Ecology to increase permit fees every two years and allow them to circumvent the formal rule-making process. More frequent fee updates will allow the Department to continue operating its permitting programs without becoming a drain on government funds.

I also think that changing fees through an the informal, notice-and-comment process would be sufficient for this sort of rule. The formal rulemaking process is slow and cumbersome, and I do not think trial-type hearings are necessary to accomplish what should be a relatively simple administrative update. Most importantly, the language of the Washington Clean Air act does not require formal rulemaking procedures in order to affect this type of rule.

Particularly in recent years with air quality becoming a substantial problem in Washington, anything that can be done to further regulate emissions is essential. As I write this comment, the Air Quality Index at my home in Seattle reads 198 AQI, on the borderline between Unhealthy and Very Unhealthy. While this particular incident of poor air quality is a result of wildfire smoke, it highlights the important of promoting clean air generally in the state. If the wildfires are going to contribute to hazardous air conditions, it is the responsibility of the government to do everything it can to prevent and regulate other sources from contributing further. Thus, I support this proposed rulemaking.