

# Puget Sound Clean Air Agency (Christine Cooley)

To the Department of Ecology:

Thank you for the opportunity to comment on the proposed rulemaking for Chapter 173-448 WAC – Air Quality in Overburdened Communities. We appreciate Ecology's ongoing engagement with local clean air agencies (LCAs) through regular coordination meetings.

LCAs were established under the Washington Clean Air Act and are responsible for implementing and enforcing air quality programs for approximately 91% of Washington's population. While some agencies have submitted individual comments, this letter represents shared concerns among the local agencies.

The proposed rule repeatedly identifies LCAs as key partners in implementation, including consultation on identifying major contributors of criteria pollutants, determining high-priority emitters, reviewing emission reduction plans, and enforcing required reductions. LCAs bring decades of technical expertise, monitoring data, and direct experience working in the communities identified in this rule. We share Ecology's statutory purpose under the Clean Air Act "to preserve, protect, and enhance the air quality for current and future generations" (RCW 70A.15.1005).

After reviewing the draft rule, we are concerned that it does not fully align with either the statute or the scientific realities of pollution sources in overburdened communities.

Section 2(a)(i)(A) directs Ecology to identify stationary and mobile sources that are the greatest contributors of emissions that are either increasing or not decreasing. However, the draft rule primarily focuses on stationary industrial sources. Monitoring data and emissions inventories in many overburdened communities indicate that stationary permitted sources are often not the largest contributors to criteria pollutant burdens. In several designated communities, such as North Seattle and Shoreline, there are few or no regulated industrial sources. In others, permitted facilities are already subject to stringent federal and state requirements under the Clean Air Act, and Washington remains in attainment for criteria pollutants statewide.

If the intent of the statute is to meaningfully reduce pollution burdens in overburdened communities, the rule must address the dominant sources contributing to those burdens. In many communities, those sources include transportation emissions (on and off road), residential woodstoves, and certain agricultural activities. These sectors are not addressed in the current draft. As written, the rule risks placing new procedural requirements on stationary sources without achieving measurable air quality improvements in the communities it seeks to serve. A regulatory framework that is not aligned with the primary drivers of pollution will not produce the reductions envisioned by the statute.

We respectfully recommend that Ecology:

1. Ensure that primary emitters source identification and regulatory focus are driven by community-specific emissions data and existing scientific basis for pollution identification.
2. Develop a state framework that enables strategies tailored to the dominant sources in each overburdened community, including mobile sources.
3. Integrate related statewide initiatives—such as ZEVergreen policies and strengthened PM2.5 standards—into the implementation pathway, where appropriate.

We appreciate Ecology's efforts to advance policies that protect public health, including recent work to maintain protective PM2.5 standards and reduce transportation emissions through ZEVergreen initiatives. Aligning this rule with the best available data and the full scope of emission sources will better position the state to achieve meaningful, durable reductions in overburdened communities.

Respectfully submitted,

Puget Sound Clean Air Agency  
Olympic Region Clean Air Agency  
Spokane Clean Air  
Southwest Clean Air Agency  
Benton Clean Air  
Northwest Clean Air Agency

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