

Gil Alvarado (Gil Alvarado)

PORT OF MATTAWA (Grant County Port District No. 3)

Comments on Preliminary Draft Rule Language – Chapter 173 448 WAC

Air Quality in Overburdened Communities Highly Impacted by Air Pollution

Submitted to the Washington State Department of Ecology

The Port of Mattawa appreciates the opportunity to provide comments on the Preliminary Draft Rule Language for Chapter 173 448 WAC, Air Quality in Overburdened Communities Highly Impacted by Air Pollution. While we support the intent of improving air quality and protecting public health, we have significant concerns about how this rule would be applied to the Mattawa area.

Mattawa is a small, rural, agricultural community with no industrial emitters of criteria pollutants. The draft rule's structure and assumptions do not reflect the emissions reality of our region and risk imposing obligations on a community that is impacted by external pollution sources but does not generate them.

1. Mattawa is not an industrial emissions area

The Mattawa community does not host industrial facilities that emit criteria pollutants at levels contemplated in the draft rule.

- Our local economy is primarily agricultural and service oriented.
- There are no large-scale manufacturing plants, refineries, or industrial complexes in Mattawa.
- No facilities in the area would qualify as "high priority emitters" under WAC 173 448 070.

Applying a regulatory framework designed for industrial corridors to a rural agricultural community mischaracterizes local conditions and creates obligations where no qualifying stationary sources exist.

2. Air quality impacts in Mattawa are driven by external, non-local sources

The majority of air quality impacts in Mattawa come from sources entirely outside local control, including:

- Wildfire smoke transported into the Columbia Basin from regional and statewide fires
- Dust and particulate matter originating from surrounding arid lands, including the Yakima Firing Center and Hanford Reservation
- Seasonal inversions and meteorological conditions that trap transported pollutants
- Vehicle emissions from SR 243, a busy state highway that brings through traffic and freight emissions

These sources are not generated by Mattawa residents, businesses, or the Port. Imposing regulatory obligations on our community for pollution we do not create is inequitable and misdirects resources away from the true contributors.

3. The draft rule overemphasizes permitted stationary sources

The draft rule places significant emphasis on "high priority emitters" based solely on permitting status, rather than on the actual contributors to impaired air quality in each community.

In Mattawa:

- There are no qualifying stationary sources
- The largest contributors are wildfire smoke, dust, agricultural burning outside the community, and

mobile sources

- Meteorological conditions—not local emissions—drive PM2.5 concentrations

Applying stationary source focused requirements in a community without such sources would be ineffective and inconsistent with the rule's stated purpose.

4. Ecology must complete community specific emissions inventories before assigning obligations. Before identifying "high priority emitters" or imposing reduction requirements, Ecology should complete a community specific emissions inventory for each overburdened community.

For Mattawa, such an inventory would clearly show:

- No significant stationary industrial emissions
- Dominance of wildfire smoke, dust, and mobile sources
- Seasonal and meteorological factors driving air quality conditions

Without this foundational analysis, the rule risks misidentifying contributors and imposing obligations unrelated to actual emissions patterns.

5. The rule would harm economic opportunity and business development in a disadvantaged rural area

Mattawa is a rural, economically disadvantaged community that relies heavily on attracting new employers, supporting farming, fresh produce packing and light agricultural processing, and sustaining small businesses. The draft rule would unintentionally make this more difficult.

A. Regulatory uncertainty discourages investment

Labeling Mattawa as an "overburdened community" subject to additional regulatory requirements—despite lacking local industrial emissions—creates a perception of higher cost and risk for prospective employers.

B. Burdens could fall on small agricultural and service sector businesses

In the absence of industrial emitters, compliance obligations may fall indirectly on small businesses that lack the resources to absorb new regulatory costs.

C. Rural communities cannot absorb misdirected regulatory burdens

Mattawa has limited staff capacity, limited tax revenue, and fewer economic development tools than urban areas. Any rule that increases administrative or compliance costs—without producing measurable air quality benefits—risks slowing job creation and hindering economic development.

D. Penalizing a community for pollution it does not generate is inequitable

The rule could effectively punish Mattawa for wildfire smoke, dust, and regional transport—factors entirely outside local control.

6. If Ecology is concerned about external pollution sources, the solution should be mitigation funding—not punitive regulation

If Ecology believes that external pollution sources are significantly affecting Mattawa, then the appropriate response is state-supported mitigation, not regulatory burdens on a community that does not generate the pollution.

A. Rural communities need support, not penalties

Mattawa cannot regulate wildfire smoke, regional dust transport, or emissions from SR 243.

Penalizing the community for these external factors would be both ineffective and inequitable.

B. Mitigation funding would produce real benefits

State support could fund:

- Wildfire smoke resilience programs
- Dust suppression and land stabilization projects
- Air filtration systems for schools and public facilities

- Validated air monitoring equipment
- Vegetative buffers and windbreaks

These investments would directly improve public health and air quality.

C. Punitive rules divert scarce local resources

Compliance obligations would force Mattawa to spend limited resources on administrative tasks rather than on practical mitigation measures.

D. Environmental justice requires support, not additional burdens

If Mattawa is designated as "overburdened," then the state should provide assistance, not impose obligations unrelated to local emissions.

7. Requests for clarification and rule adjustments

The Port of Mattawa respectfully requests that Ecology:

- Clarify that communities without qualifying stationary sources will not be subject to emission reduction obligations
- Base "high priority emitter" designations on actual emissions data
- Focus regulatory strategies on the true contributors to impaired air quality
- Complete community specific emissions inventories before assigning obligations
- Recognize the distinction between locally generated emissions and external regional pollution sources
- Ensure that disadvantaged rural communities are not placed at a competitive disadvantage
- Provide mitigation funding—not punitive regulation—when external pollution sources drive local air quality conditions

Conclusion

The Port of Mattawa supports efforts to improve air quality across Washington State, but we cannot support a rule that misdiagnoses the sources of pollution in our region and then places the burden of compliance on a community that does not generate the emissions in question. The preliminary draft of Chapter 173 448 WAC, as written, would penalize Mattawa for air quality conditions driven almost entirely by wildfire smoke, regional dust transport, and other external factors beyond our control. This approach is neither fair nor effective.

If Ecology intends to designate Mattawa as an "overburdened community," then the state must also recognize that Mattawa is overburdened precisely because it lacks the economic resources, industrial base, and regulatory authority to address the external pollution sources that affect it. Imposing new regulatory obligations on a rural agricultural community with no qualifying stationary emitters is not environmental justice, it is an unfunded mandate that would deepen existing economic disparities.

We urge Ecology to revise the rule to ensure that:

- Regulatory requirements are tied to actual local emissions, not assumptions
- Rural communities are not saddled with punitive or symbolic obligations that produce no measurable air quality improvements
- State resources are directed toward mitigation, resilience, and support, not compliance burdens
- Communities like Mattawa are not punished for pollution they do not create and cannot control

The Port of Mattawa cannot support a rule that places disproportionate burdens on our residents, small businesses, and agricultural economy while failing to address the true sources of air quality challenges in our region.