DEPARTMENT OF ECOLOGY
State of Washington

Air Quality in Overburdened Communities Highly Impacted by Air Pollution, Chapter 173-448 WAC

Preliminary Draft Rule Language Review
Wednesday, December 10, 2025

Ecology Staff

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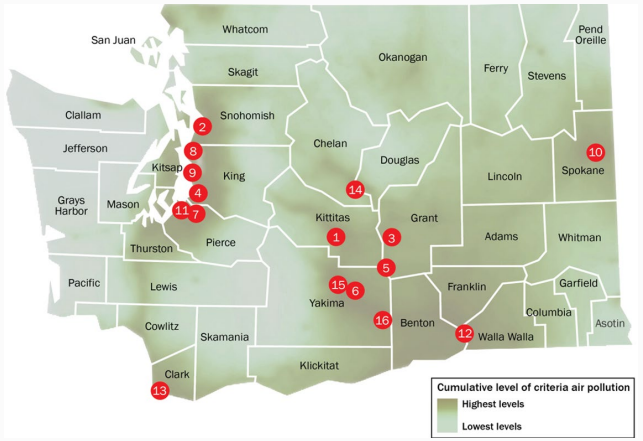
Rulemaking Lead

Jane Pennington
Technical Host

Agenda

- Introduction
- Draft rule review + Q&As
- Discussion



Multiple Efforts Go Into Improving Air Quality

Rulemaking Timeline

Rulemaking announcement
October 10, 2024

Workshop 2
Pollutants and emission sources
March 6, 2025

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July 23, 2025

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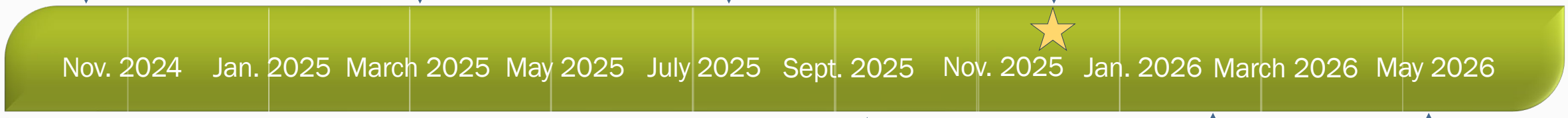
Informal public comment period
Nov. 14, 2025 – Jan. 18, 2026



Workshop 1
Rulemaking background
December 12, 2024

Workshop 3
Air quality targets
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Rule development
Fall 2025

Informational webinar
Updates and implementation
TBD

Rulemaking proposal
TBD

Rulemaking webpage: https://ecology.wa.gov/wac-173-448

What Is This Rulemaking?

- Air Quality in Overburdened Communities Highly Impacted by Air Pollution (Chapter 173-448 WAC)
- The objective is to implement parts of the Environmental Justice Review section of the Climate Commitment Act (RCW 70A.65.020).
- The purpose is to reduce criteria air pollution in identified communities.

Where Are We In The Rulemaking Process?

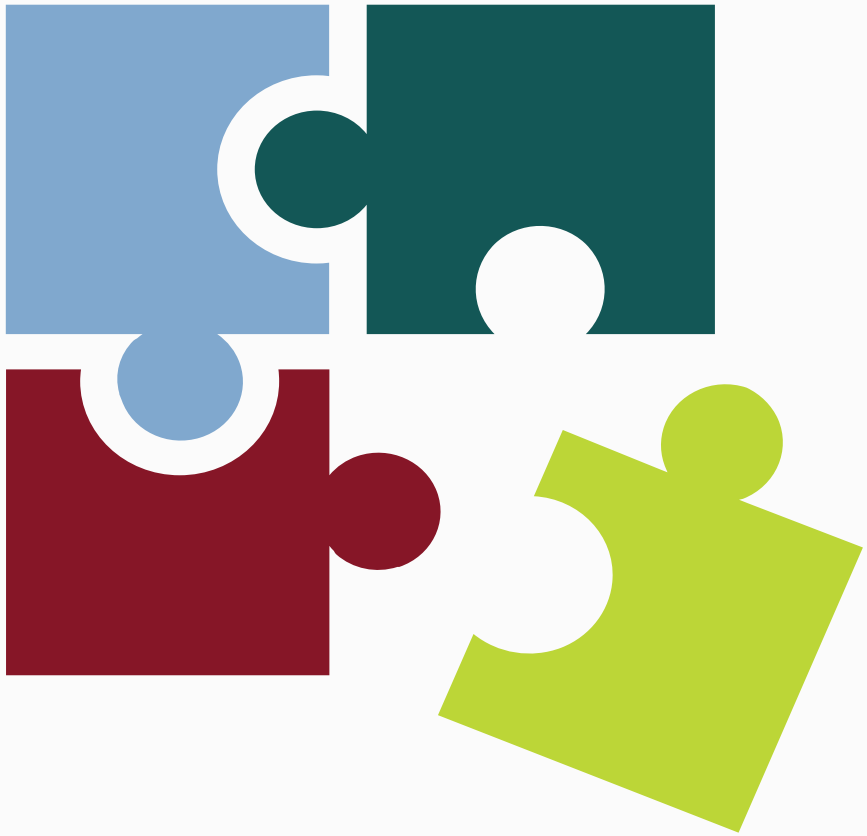
- Sharing a pre-proposal draft of rule
- Held public meetings to discuss topics like emission sources, air quality targets, and emission reduction strategies earlier this year
- Seeking feedback to help shape the future proposed rule and what is included

What Have We Heard So Far?

- Transportation emissions
- Education and information

Improving Air Quality in Overburdened Communities

- Multiple programs address air quality
  - Clean fuels
  - Grant projects (portable air cleaners, e-bikes, etc.)
- Emission reduction strategies (see Section 060[1])



[1]Preliminary draft rule language, page 6 (https://ecology.wa.gov/draft-rule-language-wac-173-448-11-14-25)

What Will We Discuss Today?

Rule sections	Example
• Determining air quality in identified communities (Section 040)	• ## µg/m^3
• Air quality targets (Section 050)	• ## µg/m^3
• Identifying sources of criteria air pollution (Section 070)	• Wildfire, traffic, facility
• Emission reductions for high priority emitters (Section 100)	• Emission limits

Preliminary draft rule language (https://ecology.wa.gov/draft-rule-language-wac-173-448-11-14-25)

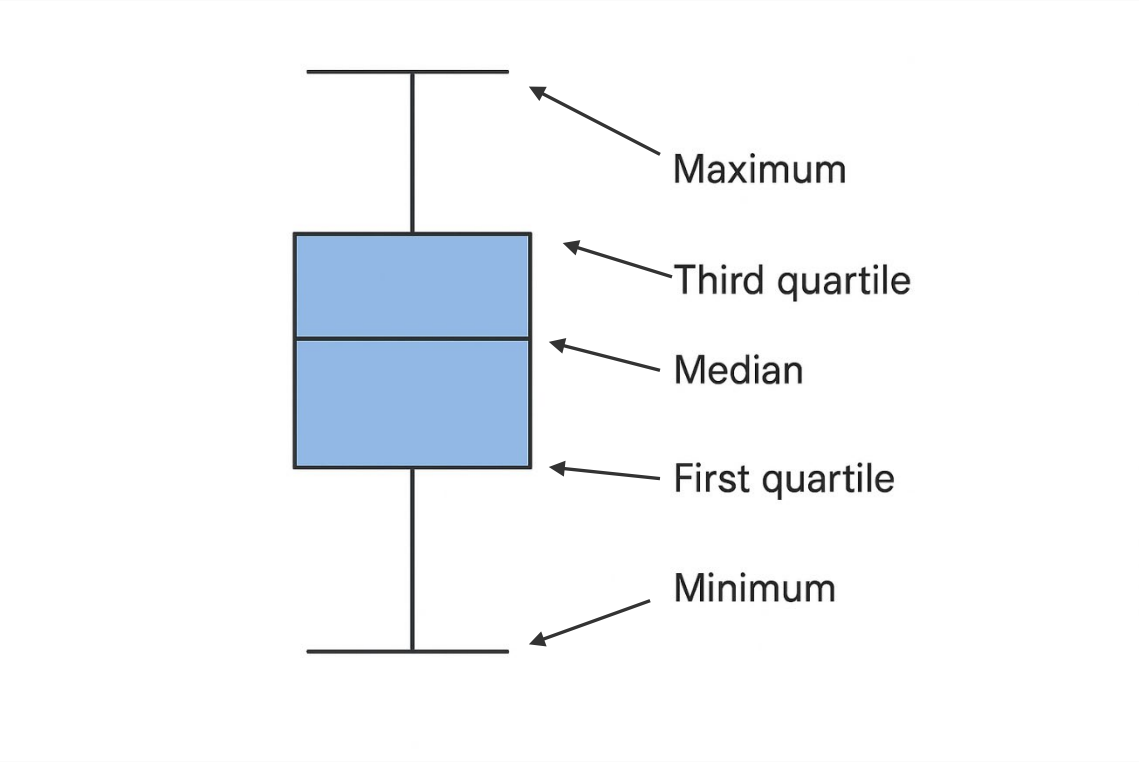
Section 040: Determining Air Quality in Identified Communities

- Requires three years of monitoring data
- Largely mirrors processes established by EPA for evaluating national air quality standards compliance (design value)
- Mainly focused on $PM_{2.5}$, the criteria air pollutant of concern
- To be re-evaluated every two years

Preliminary draft rule language, page 4
(https://ecology.wa.gov/draft-rule-language-wac-173-448-11-14-25)

Determining Air Quality: Example

- There are five monitors for $PM_{2.5}$ in this community
  - $PM_{2.5}$ is particulate matter with a diameter of 2.5 microns or less
- We evaluated data for 2022, 2023, and 2024
- The median annual design value is 7.0 µg/m^3
- The third quartile annual design value is 7.4 µg/m^3



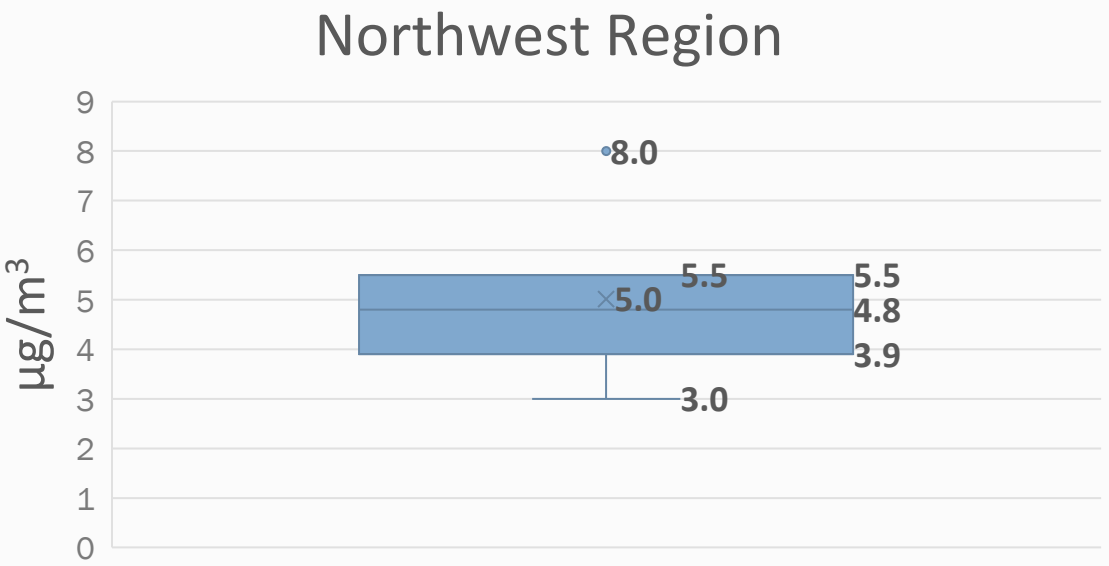
Section 050: Air Quality Targets

- Ecology will set a target for any criteria air pollutant that is monitored within an identified community (mainly $PM_{2.5}$)
- Considering the use of a regional approach
- Would re-evaluate every six years

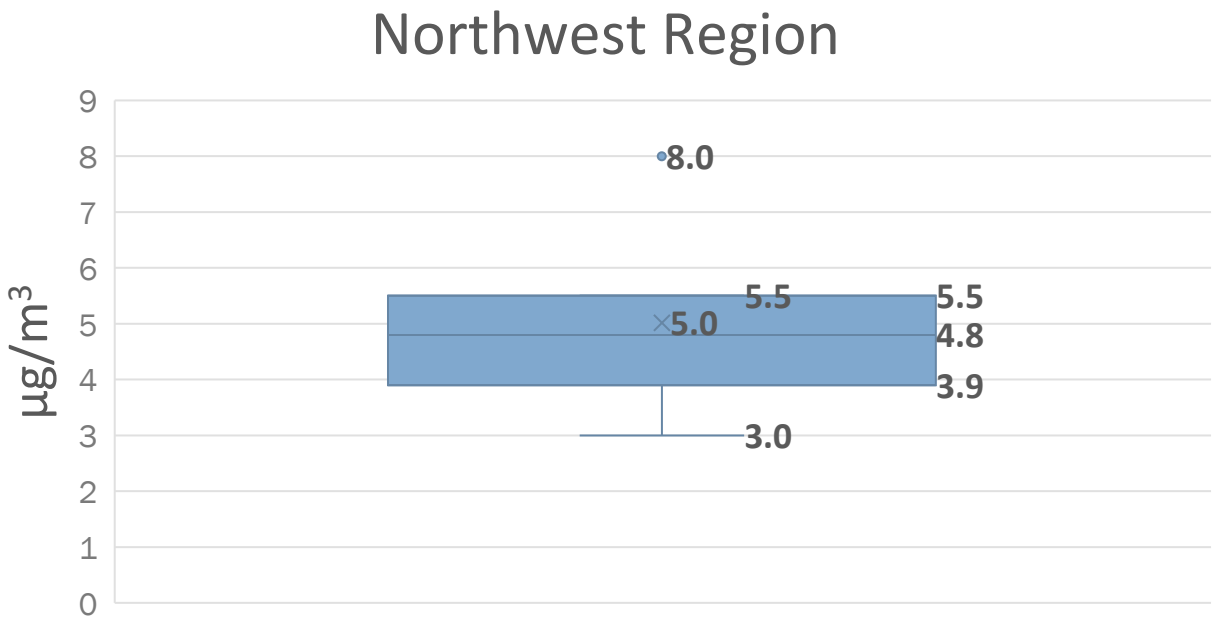
Preliminary draft rule language, page 5
(https://ecology.wa.gov/draft-rule-language-wac-173-448-11-14-25)

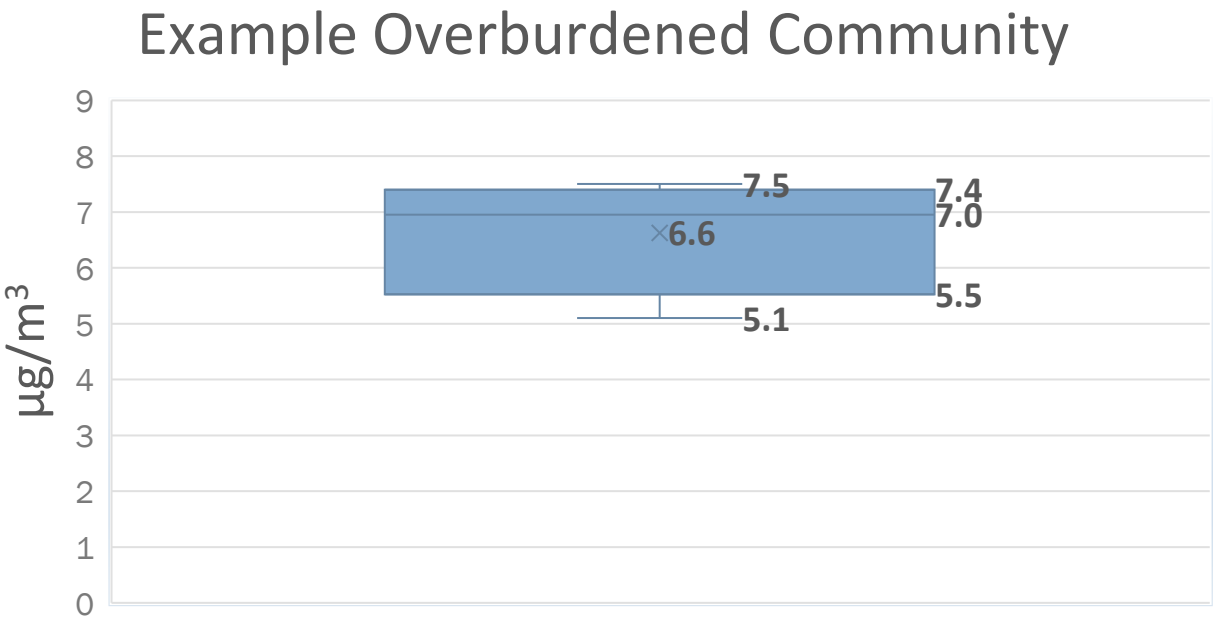
Air Quality Target: Example

- Let's consider the Ecology Northwest Region
- The median annual design value is 4.8 µg/m^3
- The third quartile annual design value is 5.5 µg/m^3



Annual $PM_{2.5}$ Design Values Compared





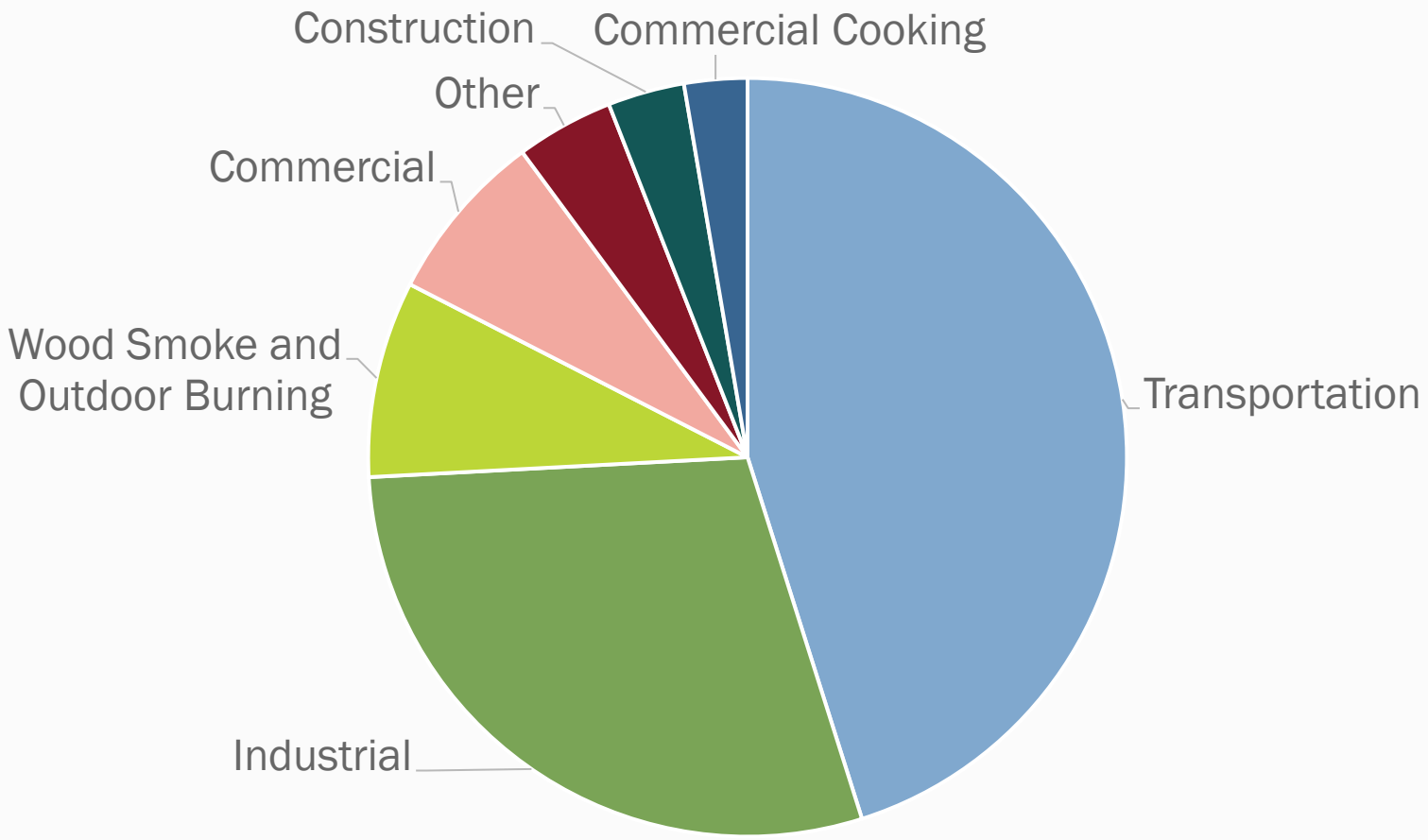
Questions About Air Quality Targets

Section 070: Identifying Sources of Criteria Air Pollution

- Greatest contributors: Intended to have a sector-level view of what causes the most impact to air pollution in identified communities
- May consider factors such as seasonality or meteorology
- To be reviewed every six years

Preliminary draft rule language, page 6
(https://ecology.wa.gov/draft-rule-language-wac-173-448-11-14-25)

Example Contributors to $PM_{2.5}$ and Precursor Emissions



Section 070: Identifying Sources of Criteria Air Pollution (continued)

- High priority emitters are permitted or registered sources:
  - Operating within an identified community
  - With annual emissions greater than:
    - 40 tons per year of NO_x, SO_2, or VOC
    - 15 tons per year of PM_{10}
    - 10 tons per year of $PM_{2.5}$
    - 0.6 tons per year of lead

Preliminary draft rule language, page 6
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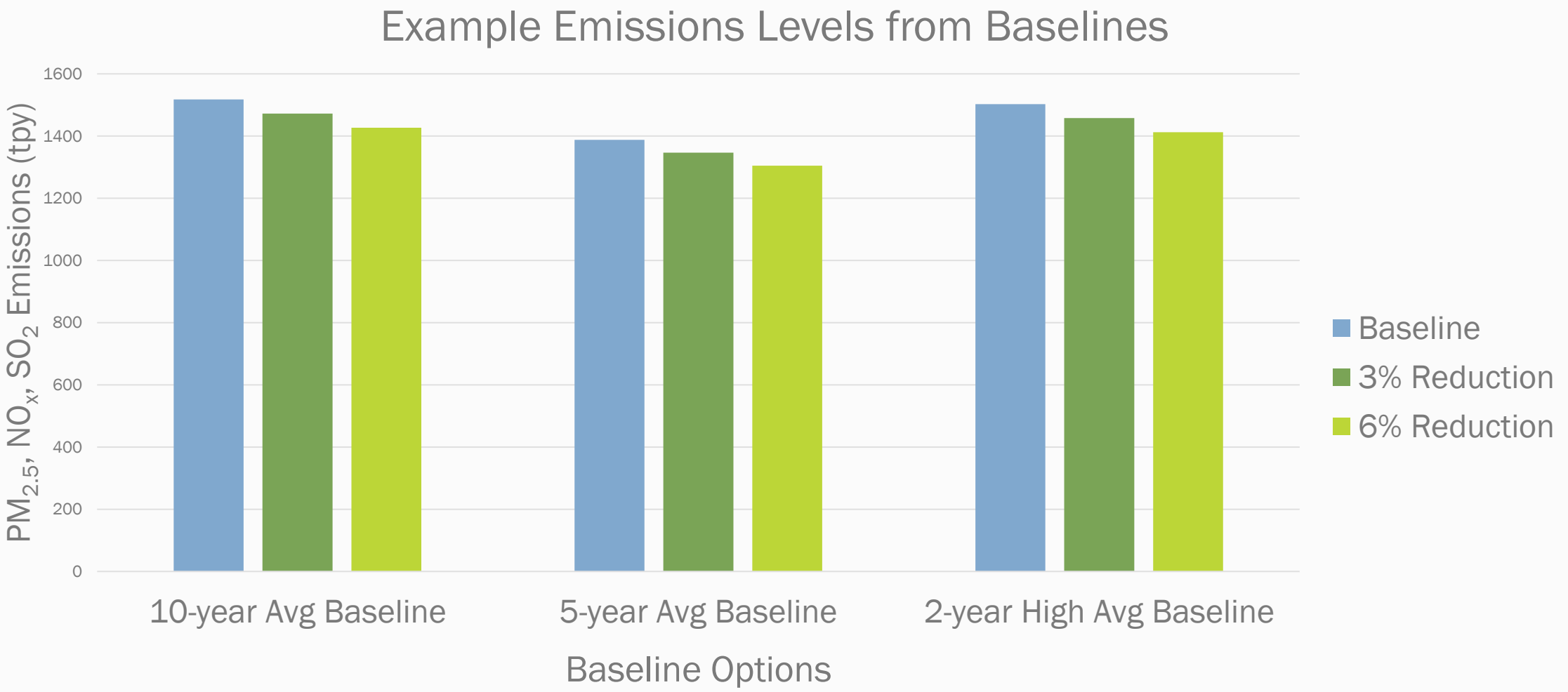
Section 100: Emission Reductions for High Priority Emitters

- Optional emission reduction plan; **or**
- Decreasing emissions: 3% by 2030; 6% by 2036; **or**
- Required emission reduction plan

Preliminary draft rule language, page 9
(https://ecology.wa.gov/draft-rule-language-wac-173-448-11-14-25)

Potential Significant Emitter Decreases from Baselines



Example Actions for Emission Reduction Plan

Action	Estimated Emissions Reduction	Feasibility Analysis
Optimize fuel or raw material to reduce emissions intensity	15 tons per year	Infeasible: Would impact product quality
Add or replace insulation to reduce fuel use	5 tons per year	Feasible
Optimize control equipment to increase control of emissions	50 tons per year	Feasible
Add scrubber to control emissions	100 tons per year	Infeasible: No space to install at facility
Replace diesel equipment with low-emitting alternatives	3 tons per year	Feasible
Pave on-site roads	5 tons per year	Feasible
Mitigation: Adding public green space offsite	???	Feasible

Questions About Sources and Reductions

Discussion

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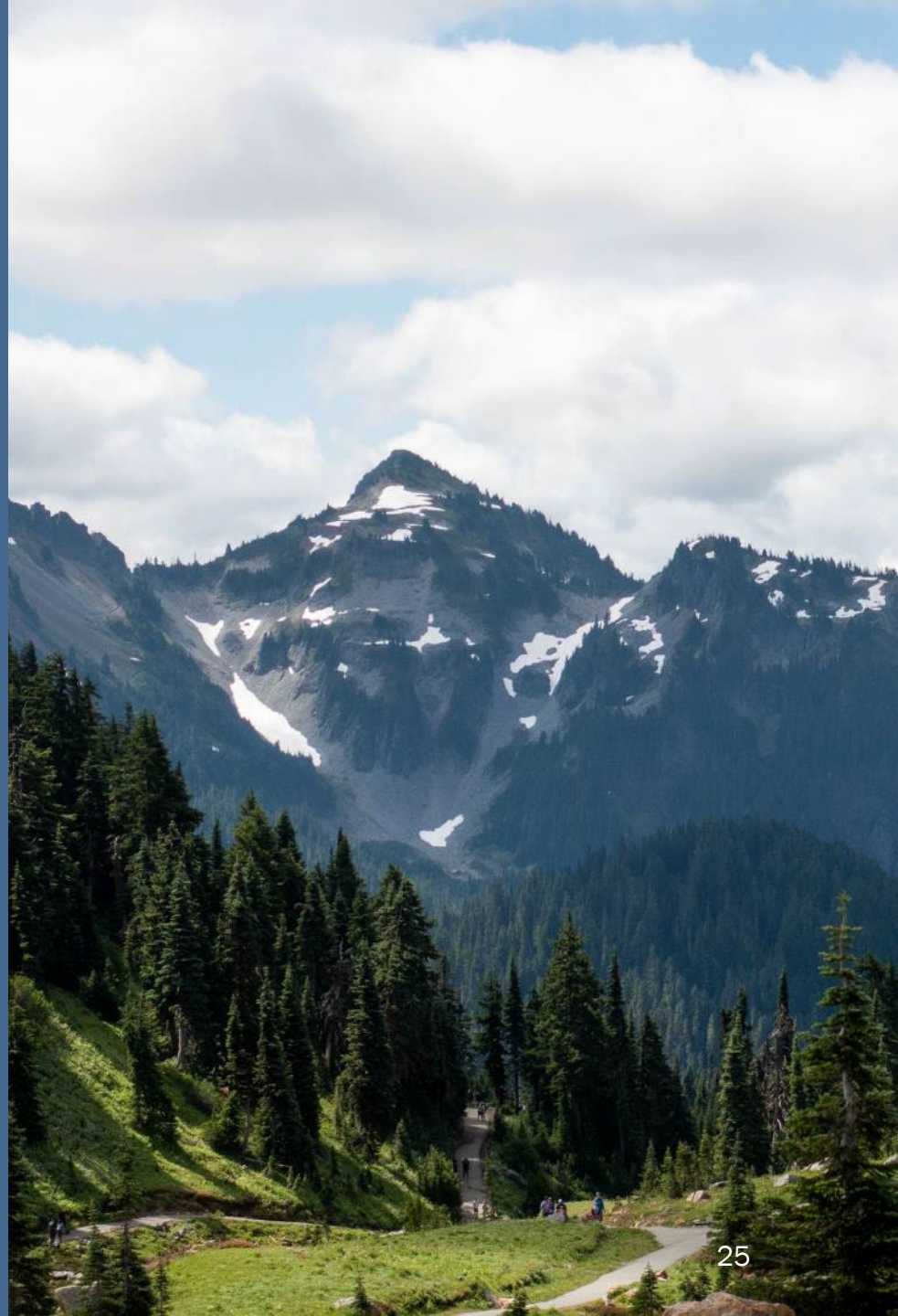
Looking Ahead



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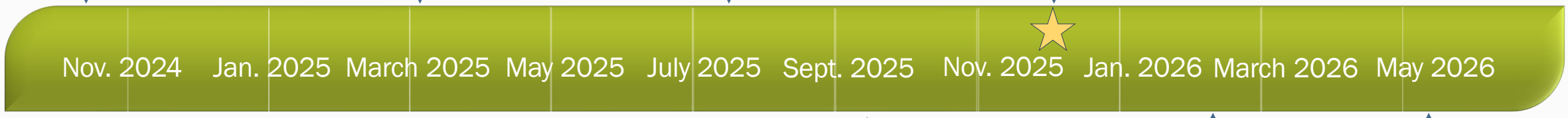

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Additional Information and Resources

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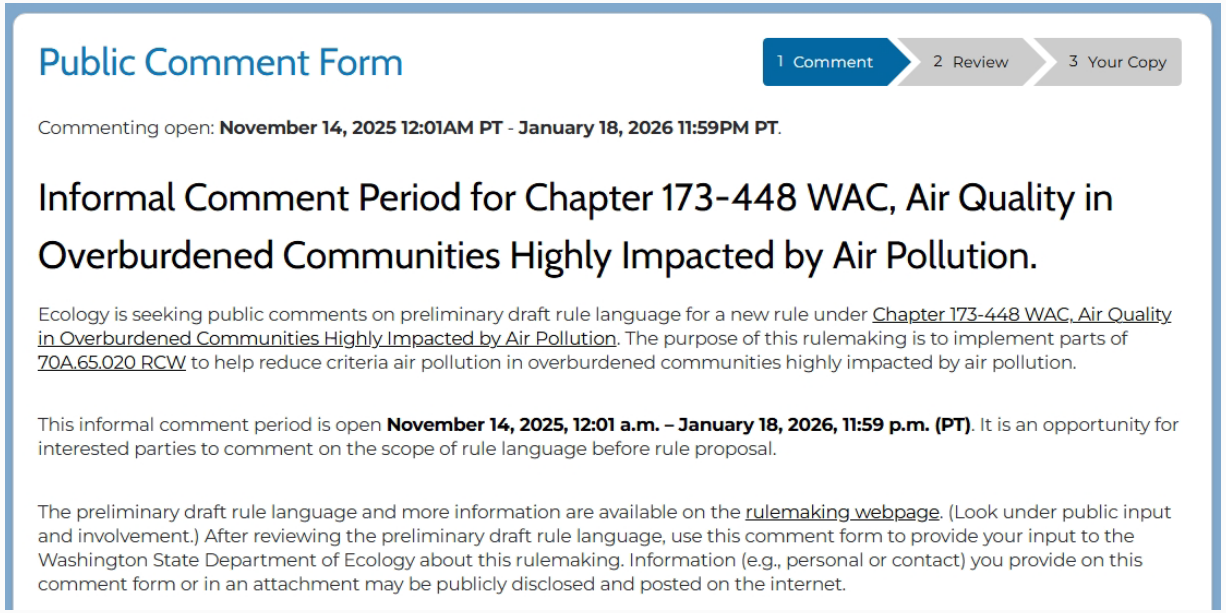
  https://ecology.wa.gov/wac-173-448
- Public comment form
  https://aq.ecology.commentinput.com/?id=peMcrVEmd
- Overburdened Communities email distribution list
  https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_217



Public Comment Form

1 Comment | 2 Review | 3 Your Copy

Commenting open: **November 14, 2025 12:01AM PT** - **January 18, 2026 11:59PM PT**.

Informal Comment Period for Chapter 173-448 WAC, Air Quality in Overburdened Communities Highly Impacted by Air Pollution.

Ecology is seeking public comments on preliminary draft rule language for a new rule under Chapter 173-448 WAC, Air Quality in Overburdened Communities Highly Impacted by Air Pollution. The purpose of this rulemaking is to implement parts of 70A.65.020 RCW to help reduce criteria air pollution in overburdened communities highly impacted by air pollution.

This informal comment period is open **November 14, 2025, 12:01 a.m. – January 18, 2026, 11:59 p.m. (PT)**. It is an opportunity for interested parties to comment on the scope of rule language before rule proposal.

The preliminary draft rule language and more information are available on the rulemaking webpage. (Look under public input and involvement.) After reviewing the preliminary draft rule language, use this comment form to provide your input to the Washington State Department of Ecology about this rulemaking. Information (e.g., personal or contact) you provide on this comment form or in an attachment may be publicly disclosed and posted on the internet.

Thank you!

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