

Chapter 173-400 WAC, General Regulations for Air Pollution Sources
Draft Rule Amendments
April 15, 2026

**WAC 173-400-113 Requirements for nNew sources in attainment or unclassifiable areas—
Review for compliance with regulations.**

WAC 173-400-110, 173-400-111, 173-400-112, and 173-400-113 apply statewide except where a permitting authority has adopted its own new source review regulations. The permitting authority that is reviewing an application to establish a new source or modification in an attainment or unclassifiable area shall issue an order of approval if it determines that the proposed project satisfies each of the following requirements:

- (1) The proposed new source or modification will comply with all applicable new source performance standards, national emission standards for hazardous air pollutants, national emission standards for hazardous air pollutants for source categories, emission standards adopted under chapter 70A.15 RCW and, for sources regulated by an authority, the applicable emission standards of that authority.
- (2) The proposed new source or modification will employ BACT for all pollutants not previously emitted or whose emissions would increase as a result of the new source or modification.
- (3) Allowable emissions from the proposed new source or the ~~allowable the increase in~~ emissions increase from the proposed modification will not cause or contribute to a violation of any ambient air quality standard. The proposed new source or modification may be considered not to cause or contribute to a violation of an ambient air quality standard if the modeled concentrations of allowable emissions ~~from the proposed new source~~ or the allowable emissions ~~the increase in emissions from the proposed modification~~ are below the levels in Table 4a, the proposed source does not contribute to a violation of an ambient air quality standard. A permitting authority may require a cumulative impact analysis even if modeled values are below the values in Table 4a if there is information that indicates the impact of the proposed new source or modification could result in a violation of an ambient air quality standard when added to the impact of nearby sources or existing background concentrations.
- (4)(a) If the projected impact of ~~the~~ allowable emissions from the proposed new major stationary source (as defined in WAC 173-400-810) or ~~the projected impact of the~~ allowable emissions ~~increase in allowable emissions~~ from the proposed major modification (as defined in WAC 173-400-810) at any location within a nonattainment area ~~does not exceed~~ are below the ~~following levels~~ values in Table 4a for the pollutants for which the area has been designated nonattainment, ~~then~~ the proposed new major source or major modification ~~will not~~ may be considered ~~not to~~ cause or contribute to a violation of an ambient air quality standard. A permitting authority may require a cumulative impact analysis even if modeled values are below the values in Table 4a if there is information that indicates the impact of the proposed new major source or modification could result in a violation of an ambient air quality standard when added to the impact of nearby sources or existing background concentrations.

Table 4a:

Cause or Contribute Threshold Values ~~for Nonattainment Area Impacts~~

Pollutant	Annual Average	24-Hour Average	8-Hour Average	3-Hour Average	1-Hour Average
CO-	-		0.5 mg/m ³ -		2 mg/m ³
SO ₂	1.0 µg/m ³	5 µg/m ³	-	25 µg/m ³	30 <u>7.86</u> µg/m ³
PM ₁₀	1.0 µg/m ³	5 µg/m ³	-	-	-
PM _{2.5}	<u>0.13</u> µg/m ³	1.2 µg/m ³			
NO ₂	1.0 µg/m ³	-	-	-	<u>7.5</u> µg/m ³
<u>O₃</u>			<u>1.0</u> ppb		

(b) If the projected impact of ~~the~~ allowable emissions from the proposed new major stationary source (as defined in WAC **173-400-810**) or ~~the projected impact of the allowable emissions~~ increase ~~in allowable emissions~~ from the proposed major modification (as defined in WAC **173-400-810**) results in a projected impact at any location inside a nonattainment area equal to or above the appropriate value in Table 4a, ~~of this section the owner or operator~~ may use ~~an~~ offsetting emission reductions or other method identified in 40 C.F.R. Part 51 Appendix S, Sections III and IV.A which reduce the projected impacts to below the ~~above~~ values ~~or less in Table 4a~~.

(c) If the owner or operator of the proposed new major stationary source or proposed major ~~source proposed to be modified~~ modification is unable to reduce emissions or obtain offsetting emissions reductions adequate to reduce modeled impacts to below the values in Table 4a ~~of this section~~, ~~then~~ the permitting authority shall deny approval to construct and operate the proposed new major stationary source or major modification.

(5) If the proposal is a new major stationary source or a major modification as defined in **WAC 173-710** ~~WAC 173-400-720~~, then it must also comply with WAC **173-400-700** through **173-400-750**.