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Draft Air Quality Regulation

6/25/02

WAC 463-39-010 Air Quality Standard –

1) Air Quality Standard - An applicant will have satisfied the air quality standard upon a determination by the council that the project's air emissions will not have a probable significant adverse impact on the environment or human health. Compliance with existing state and federal air quality regulations as adopted by the council in Chapter 463-39 WAC shall create a presumption that the air quality standard has been satisfied. This presumption may be overcome, if the council determines, after a review of all the relevant evidence before it, that the project would, despite compliance with existing state and federal standards, continue to have probable significant adverse impacts on the environment and/or human health. If such a determination is made, the council may, pursuant to its authority under Chapter 43.21C RCW, WAC 197-11-660(1), and Chapter 80.50 RCW require additional emission controls and/or mitigation measures necessary to prevent probable significant adverse impacts and to protect the public interest.

2) The provisions of sections (1) above do not apply to issues related to carbon dioxide emissions from proposed energy facilities.