

## ARTICLE 5: REGISTRATION

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### SECTION 5.03 APPLICABILITY OF REGISTRATION PROGRAM

Adopted 03/13/68 (12), Revised 11/10/71 (135), 10/10/73 (214), 03/13/80 (461), 12/09/82 (530), 12/13/84 (567), 02/13/86 (597), 08/09/90 (670), 08/12/93 (760), 02/10/94 (777), 09/12/96 (838), 12/12/96 (842), 09/10/98 (870), 07/08/99 (886), 06/24/04 (1030), 10/26/06 (1083), 09/25/08 (1132), 09/24/09 (1171), 03/25/10 (1184), 01/26/12 (1232), 09/27/12 (1254), 09/24/15 (1329), 09/22/16 (1351)

(a) The requirements of this article shall apply only to:

- (1) Sources subject to a federal emission standard under:
  - (A) 40 CFR Part 60 (except Subparts B, S, BB, and AAA, the provisions of Subpart IIII pertaining to owners and operators of emergency stationary compression ignition internal combustion engines and the provisions of Subpart JJJJ pertaining to owners and operators of emergency stationary spark ignited internal combustion engines);
  - (B) 40 CFR Part 61 (except Subparts B, H, I, K, Q, R, T, W, and the provisions of Subpart M pertaining to asbestos on roadways, asbestos demolition and renovation activities, and asbestos spraying);
  - (C) 40 CFR Part 62; or
  - (D) 40 CFR Part 63 (except Subpart LL, the provisions of Subparts S and MM pertaining to kraft and sulfite pulp mills, the provisions of Subpart ZZZZ pertaining to emergency and limited-use stationary reciprocating internal combustion engines, Subpart BBBBBB pertaining to bulk gasoline plants, and Subparts WWWWW, CCCCCC, HHHHHH, WWWWWW, XXXXXX, YYYYYY, and ZZZZZZ);
- (2) Sources with a federally enforceable emission limitation established in order to avoid operating permit program applicability under Article 7 of this regulation;
- (3) Sources with annual emissions:
  - (A) Greater than or equal to 2.50 tons of any single hazardous air pollutant (HAP);
  - (B) Greater than or equal to 6.25 tons of total hazardous air pollutants (HAP); or
  - (C) Greater than or equal to 25.0 tons of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM<sub>2.5</sub> or PM<sub>10</sub>), sulfur oxides (SO<sub>x</sub>), or volatile organic compounds (VOC);
- (4) Sources subject to the following sections of Regulation I, II, or III:
  - (A) Refuse burning equipment subject to Section 9.05 of Regulation I (including crematories);
  - (B) Fuel burning equipment or refuse burning equipment burning oil that exceeds any limit in Section 9.08 of Regulation I and sources marketing oil to such sources;
  - (C) Fuel burning equipment subject to Section 9.09 of Regulation I with a rated heat input greater than or equal to 1 MMBtu/hr of any fuel other

than natural gas, propane, butane, or distillate oil, or greater than or equal to 10 MMBtu/hr of any fuel;

- (D) Sources with spray-coating operations subject to Section 9.16 of Regulation I;
- (E) Petroleum refineries subject to Section 2.03 of Regulation II;
- (F) Gasoline loading terminals subject to Section 2.05 of Regulation II;
- (G) Gasoline dispensing facilities subject to Section 2.07 of Regulation II;
- (H) Volatile organic compound storage tanks subject to Section 3.02 of Regulation II;
- (I) Can and paper coating facilities subject to Section 3.03 of Regulation II;
- (J) Motor vehicle and mobile equipment coating operations subject to Section 3.04 of Regulation II;
- (K) Flexographic and rotogravure printing facilities subject to Section 3.05 of Regulation II;
- (L) Polyester, vinylester, gelcoat, and resin operations subject to Section 3.08 of Regulation II;
- (M) Aerospace component coating operations subject to Section 3.09 of Regulation II;
- (N) Crushing operations subject to Section 9.18; or
- (O) Ethylene oxide sterilizers subject to Section 3.07 of Regulation III;

(5) Sources with any of the following gas or odor control equipment having a rated capacity of greater than or equal to 200 cfm ( $\geq 4"$  diameter inlet):

- (A) Activated carbon adsorption;
- (B) Afterburner;
- (C) Barometric condenser;
- (D) Biofilter;
- (E) Catalytic afterburner;
- (F) Catalytic oxidizer;
- (G) Chemical oxidation;
- (H) Condenser;
- (I) Dry sorbent injection;
- (J) Flaring;
- (K) Non-selective catalytic reduction;
- (L) Refrigerated condenser;
- (M) Selective catalytic reduction; or
- (N) Wet scrubber;

- (6) Sources with any of the following particulate control equipment having a rated capacity of greater than or equal to 2,000 cfm ( $\geq 10$ " diameter inlet):
  - (A) Baghouse;
  - (B) Demister;
  - (C) Electrostatic precipitator;
  - (D) HEPA (high efficiency particulate air) filter;
  - (E) HVAF (high velocity air filter);
  - (F) Mat or panel filter;
  - (G) Mist eliminator;
  - (H) Multiple cyclones;
  - (I) Rotoclane;
  - (J) Screen;
  - (K) Venturi scrubber;
  - (L) Water curtain; or
  - (M) Wet electrostatic precipitator;
- (7) Sources with a single cyclone having a rated capacity of greater than or equal to 20,000 cfm ( $\geq 27$ " diameter inlet);
- (8) Sources with any of the following equipment or activities:
  - (A) Asphalt batch plants;
  - (B) Burn-off ovens;
  - (C) Coffee roasters;
  - (D) Commercial composting with raw materials from off-site;
  - (E) Commercial smokehouses with odor control equipment;
  - (F) Concrete batch plants (ready-mix concrete);
  - (G) Galvanizing;
  - (H) Iron or steel foundries;
  - (I) Microchip or printed circuit board manufacturing;
  - (J) Rendering plants;
  - (K) Rock crushers or concrete crushers;
  - (L) Sewage treatment plants with odor control equipment;
  - (M) Shipyards;
  - (N) Steel mills;
  - (O) Wood preserving lines or retorts;
  - (P) Dry cleaners using perchloroethylene; or

(Q) Marijuana production; and

(9) Sources with equipment (or control equipment) that has been determined by the Control Officer to warrant registration through review of a Notice of Construction application under Section 6.03(a) or a Notification under Section 6.03(b) of this regulation, due to the amount and nature of air contaminants produced, or the potential to contribute to air pollution, and with special reference to effects on health, economic and social factors, and physical effects on property.

(b) The requirements of this article shall not apply to:

- (1) Motor vehicles;
- (2) Nonroad engines or nonroad vehicles as defined in Section 216 of the federal Clean Air Act;
- (3) Sources that require an operating permit under Article 7 of this regulation;
- (4) Solid fuel burning devices subject to Article 13 of this regulation; or
- (5) Any source, including any listed in Sections 5.03(a)(4) through 5.03(a)(9) of this regulation, that has been determined through review by the Control Officer not to warrant registration, due to the amount and nature of air contaminants produced or the potential to contribute to air pollution, and with special reference to effects on health, economic and social factors, and physical effects on property.

(c) It shall be unlawful for any person to cause or allow the operation of any source subject to registration under this section, unless it meets all the requirements of Article 5 of this regulation.

(d) An exemption from new source review under Article 6 of this regulation shall not be construed as an exemption from registration under this article. In addition, an exemption from registration under this article shall not be construed as an exemption from any other provision of Regulation I, II, or III.

## **SECTION 5.05 REGISTRATION REQUIREMENTS** Adopted 03/13/68 (12)

Revised 11/10/71 (135), 12/09/82 (530), 06/09/88 (621), 10/12/89 (653), 08/09/90 (670), 09/12/96 (838), 09/11/97 (856), 09/10/98 (870)  
05/22/03 (994), 06/24/04 (1030), 12/15/16 (1356)

(a) The owner or operator of a source requiring registration under Section 5.03 of this regulation shall make reports containing information as required by the Agency concerning location, size, and height of contaminant outlets, processes employed, nature and quantity of the air contaminant emission, and such other information as is relevant to air pollution and available or reasonably capable of being assembled. The owner or operator shall be responsible for obtaining the proper forms from the Agency, notifying the Agency of its existence (including changes in its ownership or name), and for the accuracy, completeness, and timely submittal of all registration reports and fees.

(b) The owner or operator of a source requiring registration under Section 5.03 of this regulation shall submit a report by June 30<sup>th</sup> of each year, listing the emissions of those air contaminants emitted during the previous calendar year that equaled or exceeded:

- (1) 2.50 tons of any single hazardous air pollutant (HAP);
- (2) 6.25 tons of total hazardous air pollutants (HAP);
- (3) 25.0 tons of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM<sub>2.5</sub> or PM<sub>10</sub>), sulfur oxides (SO<sub>x</sub>), or volatile organic compounds (VOC); or
- (4) 0.5 tons of lead.

(c) The owner or operator of a registered source shall develop and implement an operation and maintenance plan to ensure continuous compliance with Regulations I, II, and III. A copy of the plan shall be filed with the Control Officer upon request. The plan shall reflect good industrial practice and shall include, but not be limited to, the following:

- (1) Periodic inspection of all equipment and control equipment;
- (2) Monitoring and recording of equipment and control equipment performance;
- (3) Prompt repair of any defective equipment or control equipment;
- (4) Procedures for start up, shut down, and normal operation;
- (5) The control measures to be employed to ensure compliance with Section 9.15 of this regulation; and
- (6) A record of all actions required by the plan.

The plan shall be reviewed by the source owner or operator at least annually and updated to reflect any changes in good industrial practice.

## **SECTION 5.07 ANNUAL REGISTRATION FEES** Adopted 12/09/82 (530)

Revised 01/10/85 (573), 10/12/89 (653), 08/09/90 (670), 12/12/91 (713), 07/08/93 (756), 09/08/94 (798), 09/14/95 (821), 09/12/96 (839), 09/11/97 (856), 09/10/98 (871), 09/09/99 (894), 07/13/00 (925), 06/14/01 (946), 10/11/01 (957), 05/23/02 (968), 05/22/03 (994), 06/24/04 (1030), 06/23/05 (1044), 06/22/06 (1067), 05/22/08 (1117), 03/25/10 (1184), 05/26/11 (1210), 05/24/12 (1242), 09/22/16 (1352), 04/27/23 (1460), 09/28/23 (1469), 04/25/24 (1476), 04/24/25 (1492)

(a) The Agency shall assess annual fees as set forth in Section 5.07(c) of this regulation for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the program, which shall be defined as initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution registration, on-site inspections necessary to verify compliance with registration requirements, data storage and retrieval systems necessary for support of the registration program, emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration program requirements, staff review, including engineering analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements, clerical and other office support provided in direct furtherance of the registration program, and administrative support provided in

directly carrying out the registration program. Payment of these fees by the owner or operator of a source shall maintain its active registration status (even if it is not actively operating).

- (b) Upon assessment by the Agency, registration fees are due and payable within 45 days of the date of the invoice. Registration fees shall be deemed delinquent if not fully paid within 45 days of the date of the invoice. Persons or sources that under-report emissions, fail to submit other information used to set fees, or fail to pay required fees within 90 days of the date of the invoice, may be subject to a penalty equal to 3 times the amount of the original fee owed (in addition to other penalties provided by chapter 70A.15 RCW).
- (c) Except as specified in Section 5.07(d) and (e) of this regulation, registered sources shall be assessed a fee of \$1,475, plus the following fees:
  - (1) Sources subject to a federal emission standard as specified in Section 5.03(a)(1) of this regulation shall be assessed \$2,676 per subpart of 40 CFR Parts 60-63;
  - (2) Sources subject to a federally enforceable emission limitation as specified in Section 5.03(a)(2) or meeting the emission thresholds specified in Section 5.03(a)(3) of this regulation shall be assessed \$2,916;
  - (3) Sources subject to the emission reporting requirements under Section 5.05(b) of this regulation shall be assessed \$30 for each ton of CO and \$60 for each ton of NOx, PM10, SOx, HAP, and VOC, based on the emissions reported during the previous calendar year;
  - (4) Sources with more than one coffee roaster installed on-site that are approved under a Notice of Construction Order of Approval shall be assessed \$2,916;
  - (5) Sources of commercial composting with raw materials from off-site and with an installed processing capacity of <100,000 tons per year shall be assessed \$7,284; and
  - (6) Sources of commercial composting with raw materials from off-site and with an installed processing capacity of  $\geq$ 100,000 tons per year shall be assessed \$29,135.
- (d) Gasoline dispensing facilities shall be assessed the following fees based on their gasoline throughput during the previous calendar year (as certified at the time of payment):
  - (1) More than 6,000,000 gallons ..... \$5,176;
  - (2) 3,600,001 to 6,000,000 gallons ..... \$2,572;
  - (3) 1,200,001 to 3,600,000 gallons ..... \$1,709;
  - (4) 840,001 to 1,200,000 gallons ..... \$857;
  - (5) 200,001 to 840,000 gallons ..... \$432.

(e) The following registered sources shall be assessed an annual registration fee of \$180, provided that they meet no other criteria listed in Section 5.03(a) of this regulation:

- (1) Sources with spray-coating operations subject to Section 9.16 of this regulation that use no more than 4,000 gallons per year of total coatings and solvents;
- (2) Gasoline dispensing facilities subject to Section 2.07 of Regulation II with gasoline annual throughput during the previous calendar year (as certified at the time of payment) of no more than 200,000 gallons;
- (3) Motor vehicle and mobile equipment coating operations subject to Section 3.04 of Regulation II;
- (4) Unvented dry cleaners using perchloroethylene; and
- (5) Batch coffee roasters subject to notification under Section 6.03(b)(11) of this regulation.

## **SECTION 5.12 REGISTRATION OF CRUSHING OPERATIONS** Adopted 01/26/12 (1232)

(a) Applicability – This section applies to all crushing operations subject to registration under Section 5.03 of this regulation. Every site which has crushing equipment installed for operation shall be registered by the owner or the operator of that equipment with this Agency prior to any crushing operation.

(b) Initial Registration

- (1) New crushing operations shall be registered with this agency prior to operation commencing through submittal of the crushing operation information specified on registration forms provided by the agency. All information on the registration form shall be provided as specified. Incomplete registration form submittals will not be acceptable to create an active registration.
- (2) Registration is not completed until all fees due are paid, as identified in Section 5.12(c) of this regulation.
- (3) The valid registration of an existing crushing operation may be moved to another site without a new registration, provided that no other operable crushing equipment installed for active operation on a site is using that same registration.

(c) Fees

- (1) Registration fees for crushing operations shall be assessed as identified in Section 5.07 of this regulation.
  - (A) Registered crushing operations may maintain registration through payment of the annual invoices sent to actively registered sources.

(B) Initial registration of a crushing operation shall be subject to the fees identified in Section 5.07 of this regulation. There is no proration of fees for registration of crushing operations that are less than a full year. Registration fees in Section 5.07 (and as identified on the forms provided by the Agency) shall be submitted with the initial registration. Inapplicable federal emission standard fees identified in Section 5.07(c)(1) of this regulation will be refunded, as determined through review of the registration submittal.

(2) Unregistered crushing operations at a site are subject to the penalty provisions identified in Section 5.07(b).

(d) Operational Information – The owner or operator of a crushing operation shall maintain records of sites and dates crushing occurred in this Agency's jurisdiction. All records must be current, retained for at least 2 years, and available to Agency representatives upon request.