

# Proposed Rule Repeal

The Department of Ecology proposes to repeal two obsolete rules:

- **Chapter 173-330 WAC - Used automotive Oil Recycling Sign Requirements for Automotive Oil Sellers; and**
- **Chapter 173-24 WAC - Tax Exemptions and Credits for Pollution Control Facilities**

The rule proposal will be published in the Washington State Register on July 2, 2014.

## **Repeal of Chapter 173-330 WAC**

Chapter 19.114 RCW – *Used Automotive Oil Recycling* was repealed in 1991. The rule requirements of Chapter 173-330 WAC were authorized by Chapter 19.114 RCW. The purpose of this proposal is to remove a rule that is no longer authorized by statute. Repeal of this rule will not impact other existing laws or rules. Requirements in this rule are regulated under Chapter 70.95I RCW – *Used Oil Recycling*.

## **Repeal of Chapter 173-24 WAC**

Until November 30, 1981, Chapter 82.34 RCW – *Pollution Control Facilities – Tax Exemptions and Credits*, authorized pollution control facilities to apply to the Department of Revenue for a tax credit or exemption. The appropriate pollution control agency was then required to review the application and if appropriate approve the facility as a pollution control facility. Ecology's role for facilities under its jurisdiction was to identify and classify facilities, and to confirm that the facility controlled, captured and removed pollutants from the air and water. The review was conducted for water pollution control facilities and any facilities related to an air contaminant source. Chapter 173-24 WAC describes Ecology's process for reviewing and approving facilities.

In 1981, the Legislature amended the law in Chapter 82.34 RCW to provide that the last date applications for pollution control tax credits or exemptions could be filed was November 30, 1981. Since applications are no longer accepted under Chapter 82.34 RCW, the rules in Chapter 173-24 WAC have no purpose, and we are proposing to repeal them. Repealing this chapter will not impact any tax exemptions or credits currently received by facilities.

## **Expedited Repeal Process**

This rule repeal is being proposed under an expedited rule-making process that will eliminate the need for the agency to hold public hearings, prepare a small business economic impact statement, or

### **MORE INFORMATION**

Ecology is proposing to repeal two obsolete rules.

Used Oil Recycling Sign requirements are now regulated under Chapter 70.95I RCW. Repeal of Chapter 173-330 WAC will not impact other existing rules or any entities who currently provide used oil recycling.

Repeal of Chapter 173-24 WAC will not impact any tax exemptions or credits currently received by facilities.

#### **Contact information:**

Bari Schreiner  
Agency Rules Coordinator  
rulemaking@ecy.wa.gov  
(360) 407-6998

Kyle Dorsey  
Waste 2 Resources Program  
Kyle.dorsey@ecy.wa.gov  
(360) 407-6559

#### **Special accommodations:**

If you need this document in a format for the visually impaired, call the Waste 2 Resources at (360) 407-6900

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

# Proposed Rule Repeal

**Waste 2 Resources**

**July 2014**

provide responses to the criteria for a significant legislative rule. If you object to this use of the expedited rule-making process, you must express your objections in writing and they must be sent to:

Bari Schreiner – Agency Rules Coordinator  
Washington Department of Ecology  
PO 47600, Olympia, WA 98504-7600  
rulemaking@ecy.wa.gov

Written objections must be received by September 3, 2014.

## **Ecology's response to your comments**

All of the comments we receive will become part of the official record. We will publish responses to comments in a document called a Concise Explanatory Statement (CES). The CES is required by the Administrative Procedure Act (RCW 34.05) and is available once the process is complete. The CES will include the name(s) of anyone that commented, copies of their comments, and Ecology's responses.

## **Expected repeal date**

Ecology expects to repeal these rules no earlier than mid-September 2014. The repeal would become effective 31 days later.

