



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 22, 2024

TIME: 11:43 AM

WSR 24-08-013

Agency: 468 Environmental and Land Use Hearings Office

Subject of possible rule making: The Environmental and Land Use Hearings Office commences this inquiry to consider possible corrections and changes to certain sections of Chapter 371-08 WAC, the Pollution Control Hearings Board's (PCHB) procedural rules governing the conduct of business before the PCHB, including rules governing formal proceedings.

Statutes authorizing the agency to adopt rules on this subject: RCW 43.21B.170

Reasons why rules on this subject may be needed and what they might accomplish: Rule changes are needed for the following reasons: The PCHB's last review of Chapter 371-08 WAC was in 2023. Since these rules became effective in 2023, PCHB board members, administrative appeal judges and interested persons who conduct business for the PCHB have identified a number of areas to improve and clarify within the PCHB's procedural rules in Chapter 371-08 WAC. Based on the number of areas needing review, the PCHB finds it appropriate to initiate this rulemaking to review its procedural rules.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: N/A

Process for developing new rule (check all that apply):

Negotiated rule making

Pilot rule making

Agency study

Other (describe) The Environmental and Land Use Hearings Office will provide opportunity to provide for initial comments, may schedule one or more workshops, and will provide the opportunity to provide additional written comments on draft rules and proposed CR-102 prior to adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)

Name:
Address:
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Additional comments:

Date: March 22, 2024

Name: Jamie Merly

Title: Director of Legal and Administrative Services

Signature:

Jamie Merly