

Stakeholder Discussion 11/13/2007

Ch 173-407 WAC Carbon dioxide mitigation and sequestration programs for fossil-fueled thermal electric generating facilities

2nd Draft – Sections 005, 100, 110, 160, and 180

WAC 173-407-005 Work in unison

Question regarding whether work in unison means a sequential or simultaneous application of 80.70 and 80.80

Laying out the scenario of the financial impact of the differing interpretations of “working in unison”

WAC 173-407-100 Policy and purpose of part II

No comment except to raise there may be an inconsistency with this language and a sequential interpretation of “work in unison”

WAC 173-407-110 Definitions

-Permanent sequestration -Other definitions

Discuss having one section of definitions for both parts of 407 and check for consistency

Permanent sequestration:

Suggestion to return to IPCC report recommendation – look at permanent in the context of specific projects, instead of overall treatment of CCS.

Suggestion for a separate treatment of non-geologic sequestration

What's feasible? What's practical?

Suggestion to connect with WESTCARB folks

WAC 173-407-160 Sequestration Plan Requirements

Include in the definition section a description of what is meant by a sequestration plan

Distinction between a sequestration program and a sequestration plan – plan is for those deferring; program is for those actually implementing now.

Suggest change on timing – NOC and sequestration plan submitted at the same time – are you submitting a sequestration program, or a sequestration plan? Is this a future compliance date issue or is it all addressed up front in the permitting process?

Question regarding the difference in the section on geologic sequestration vs. non-geologic

Is deferred compliance only available for non-geologic sequestration?

Consistency check between geologic and non-geologic sequestration sections

Consideration of pilot projects for non-geologic sequestration?

How to address projects that originate out of state?

Comment re: boundaries of sequestration project – is this too specific given the lack of information available?

Is there a need for a high level characterization of the goals of sequestration, then allow a petition process for folks to demonstrate that their plan would meet these goals?

Public notice should have a more regional view (statewide and broader) because the failure of a sequestration plan would have wide-ranging impacts – website and listserv probably sufficient

Penalties – should be for both plans and programs; should clarify that can't operate if you are no longer sequestering

WAC 173-407-180 Relationship of Ecology with PUD commissions and WUTC

Add a definition of “consumer-owned utility” – pull directly out of the RCW – includes munis, coops, port districts, etc.

Split into 2 sections – 1) dealing with public power, 2) dealing with investor power – this accounts for the different regulatory structures here

For consumer-owned utilities

Governing boards must ensure that EPS is met, and consult with Ecology prior to signing the contract

Acknowledge that reference to 407-170/160 may not be appropriate

Potentially address unspecified sources in this section