



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Ecology AO # 13-13

Subject of possible rule making: The Washington State Department of Ecology (Ecology) is proposing to amend Chapter 173-441 WAC – Reporting of Emissions of Greenhouse Gases in order to maintain consistency with the United States Environmental Protection Agency (EPA)'s Greenhouse Gas Reporting Program, as required by RCW 70.94.151. The following are examples of the proposed amendments:

- Revising the Global Warming Potentials (GWPs) in WAC 173-441-040
- Updating calculation and monitoring methods
- Making minor streamlining revisions to reporting requirements
- Correcting minor errors and improving readability

Ecology is not changing requirements established in Chapter 173-441 WAC for transportation fuel suppliers or the following elements pertaining to facilities: reporting threshold, confidential business information, or fees.

Statutes authorizing the agency to adopt rules on this subject:

- Chapter 70.235 RCW Limiting Greenhouse Gas Emissions
- Chapter 70.94 RCW Washington Clean Air Act

Reasons why rules on this subject may be needed and what they might accomplish:

See Attachment A.

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

Throughout this rule revision process, Ecology will communicate with, and seek input from, the following agencies:

- The Energy Facility Site Evaluation Council (EFSEC), who is required to have a similar reporting rule for the facilities they regulate
- The EPA to maximize consistency between the state and federal programs
- Local Clean Air Agencies

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Throughout this rule revision process, Ecology will:

- Communicate with stakeholders about key issues and ask for input as Ecology develops the rule
- Hold a stakeholder meeting and a public hearing
- Provide information through email listservs and posting on Ecology's rule-making webpages

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Interested parties can participate by:

- Following updates on Ecology's rule-making webpages, http://www.ecy.wa.gov/programs/air/rules/rules_laws.html
- Contacting Ecology staff, see below
- Signing up for email updates, by going to <http://listserv.wa.gov/cgi-bin/wa?A0=WA-GHG-REPORTING>
- Participating in a stakeholder meeting and/or a public hearing

Staff contact Stacey Callaway Stacey.Callaway@ecy.wa.gov 360-407-7528
Department of Ecology, Air Quality Program, P.O. Box 47600, Olympia, WA 98504-7600

DATE
7/31/14

NAME (TYPE OR PRINT)
Stuart A. Clark

SIGNATURE

TITLE
Air Quality Program Manager

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STATE OF WASHINGTON
FILED

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WSR 14-16-076

Department of Ecology AO # 13-13
CR-101 Preproposal Statement of Inquiry

Attachment A

Reasons why rules on this subject may be needed and what they might accomplish:

Ecology is required by statute to periodically update Chapter 173-441 WAC to maintain consistency with EPA's Greenhouse Gas Reporting Program which has been amended multiple times since Chapter 173-441 WAC was adopted in 2010. Keeping Ecology's rules current with EPA increases efficiency by maximizing data uniformity at the state and federal level, utilizing the most up-to-date calculation methods based on a national standard, and enabling Washington reporters to continue using EPA's online electronic reporting tool.