This proposal will establish a new chapter in the Washington Administrative Code, Chapter 173-441 WAC, Reporting Emissions of Greenhouse Gases. This new rule will implement RCW 70.94.151 in which the 2008 Legislature directed the Department of Ecology to adopt rules establishing a mandatory reporting system for emissions of greenhouse gases for owners or operators of:

1. A fleet of on-road motor vehicles that as a fleet emit at least 2,500 metric tons of greenhouse gases annually in the state; or
2. A stationary source, a mobile source for transportation of people or cargo, or a combination of these stationary and mobile sources that emit at least 10,000 metric tons of greenhouse gases annually in the state.

Hearing location(s): Department of Ecology hearings will be held at the following locations:

<table>
<thead>
<tr>
<th>Location</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spokane</td>
<td>November 3, 2009</td>
<td>6:00 pm</td>
</tr>
<tr>
<td>Lacey</td>
<td>November 5, 2009</td>
<td>6:00 pm</td>
</tr>
<tr>
<td>WA, Department of Ecology Eastern Regional Office 4601 N. Monroe St. Spokane, WA 99205</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WA, Department of Ecology Headquarters Building 300 Desmond Drive SE Lacey, WA 98503</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Submit written comments to:
Name: Nancy Pritchett
Address: P.O. Box 47600
Olympia, WA 98504-7600
e-mail nancy.pritchett@ecy.wa.gov
fax (360) 407-7534
by (date) 5:00 p.m. November 12, 2009

Assistance for persons with disabilities: Contact Tami Dahlgren at (360) 407-6830 by October 27, 2009

Date of intended adoption: January 20, 2010
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this proposal is to adopt, as directed in Chapter 70.94 RCW, a mandatory greenhouse gas reporting rule. The proposal will establish a new chapter, Chapter 173-441 WAC.

Reasons supporting proposal: The state of Washington has taken several steps to begin responding to climate change. Executive Order 07-02 established goals for the statewide reduction of emissions of greenhouse gases within Washington over the next several decades as one of the methods of addressing climate change. The 2007 Legislature passed Chapter 80.80 RCW establishing statutory goals for statewide reductions in greenhouse gases and setting a greenhouse gas emissions performance standard for baseload electric power generation. E2SHB 2815, passed by the 2008 Legislature as part of the Governor’s Climate Change Framework and primarily codified in Chapter s 70.235 RCW and 70.94 RCW, requires the state to meet the emissions reductions goals established in 2007 and includes additional actions to reduce emissions of greenhouse gases and build a clean energy economy. One element of this legislation is a requirement for owners or operators of large mobile sources and large stationary sources of greenhouse gases to begin reporting emissions, beginning with 2009 emissions reported in 2010. Ecology is directed by statute to adopt rules to develop and implement a reporting system for those entities required to report. Establishing an inventory of greenhouse gas emissions will support future policy initiatives to meet the emissions reductions established in RCW 70.235.020.

Statutory authority for adoption: E2SHB 2815, codified primarily in Chapters 70.235 RCW and 70.94 RCW

Is rule necessary because of a:

<table>
<thead>
<tr>
<th>Federal Law?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Court Decision?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>State Court Decision?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

If yes, CITATION: 

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 21, 2009
TIME: 5:10 PM

WSR 09-19-109
Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

<table>
<thead>
<tr>
<th>Name of proponent: (person or organization)</th>
<th>Private</th>
<th>Public</th>
<th>Governmental</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Ecology Air Quality Program</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of agency personnel responsible for:</th>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting..........................</td>
<td>Nancy Pritchett</td>
<td>Lacey, WA</td>
<td>(360) 407-6082</td>
</tr>
<tr>
<td>Implementation....Nancy Pritchett</td>
<td>Lacey, WA</td>
<td>(360) 407-6082</td>
<td></td>
</tr>
<tr>
<td>Enforcement.............</td>
<td>Nancy Pritchett</td>
<td>Lacey, WA</td>
<td>(360) 407-6082</td>
</tr>
</tbody>
</table>

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

- Yes. Attach copy of small business economic impact statement.

  A copy of the statement may be obtained by contacting:
  Name: Kasia Patora
  Address: Department of Ecology
  Economic and Regulatory Research
  P.O. Box 47600
  Olympia, WA 98504-7600

  phone (360) 407-6184
  fax (360) 407-6989
  e-mail kasia.patora@ecy.wa.gov

- No. Explain why no statement was prepared.

Is a cost-benefit analysis required under RCW 34.05.328?

- Yes  A preliminary cost-benefit analysis may be obtained by contacting:

  Name: Kasia Patora
  Address: Department of Ecology
  Economic and Regulatory Research
  P.O. Box 47600
  Olympia, WA 98504-7600

  phone (360) 407-6184
  fax (360) 407-6989
  e-mail kasia.patora@ecy.wa.gov

- No: Please explain: