



# RULE-MAKING ORDER

## CR-103P (May 2009) (Implements RCW 34.05.360)

**Agency:** Department of Ecology AO # 13-13

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes     No    If Yes, explain:

**Purpose:**

The Washington State Department of Ecology (Ecology) amended 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 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 did not change 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.

**Citation of existing rules affected by this order:**

Repealed:        N/A  
 Amended:       Chapter 173-441 WAC – Reporting of Emissions of Greenhouse Gases  
 Suspended:     N/A

**Statutory authority for adoption:**

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

**Other authority :**        N/A

**Permanent Rule (Including Expedited Rule Making)**

Adopted under notice filed as WSR 14-21-135 on October 20, 2014.

Describe any changes other than editing from proposed to adopted version:

- Updated incorporation by reference dates throughout the rule
- Modified Table A-1 based on EPA's finalization of amendments to subpart A of the Federal Greenhouse Gas Reporting regulation

A final cost-benefit analysis is available by contacting:

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**Date adopted:**

1/29/2015

**Name (Type or Print)**

Maia D. Bellon

**Signature**

**Title**

Director, Department of Ecology

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: January 29, 2015**

**TIME: 1:38 PM**

**WSR 15-04-051**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Federal rules or standards:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Recently enacted state statutes:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in the agency's own initiative:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>0</u>	Amended	<u>6</u>	Repealed	<u>0</u>
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Pilot rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
<b>Other alternative rule making:</b>	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>