



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Rule Implementation Plan**

### **Reporting of Emissions of Greenhouse Gases**

#### **Chapter 173-441 WAC**

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## Publication and Contact Information

This report is available on the Department of Ecology's website at <http://www.ecy.wa.gov/biblio/1002039.html> .

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Ecology publishes this document to meet the requirements of the Washington State Administrative Procedure Act (RCW 34.05.325)

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## **Purpose**

Ecology provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

## **Introduction**

The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-441 WAC – Reporting of Emissions of Greenhouse Gases about how the Department of Ecology (Ecology) intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

## **Implementation and Enforcement**

The rule's authorizing statute requires that facility reporters that report to both Ecology and the Environmental Protection Agency (EPA) must be report the same emissions values to both programs. EPA will be performing in depth verification, so Ecology will accept EPA verification determinations for sources that report in both programs. Ecology will verify reports for facilities that do not report to EPA.

Ecology will work with the Washington Department of Licensing (DOL) to verify transportation fuel supplier reports. Suppliers currently report the underlying fuel quantity data needed to calculate greenhouse gas emissions to DOL for fuel tax purposes. DOL will provide that information to Ecology so that staff can verify individual reports and search for organizations failing to report as required. Suppliers will still submit an emissions report directly to Ecology, which maintains Ecology's enforcement authority.

Ecology will retain enforcement authority over all sources if they fail to report correctly or at all, including the possibility of assessing penalties of up to \$10,000 per penalty per day.

Ecology will develop information technology systems necessary for receiving data from EPA, DOL, and reporters as well as securely storing and analyzing the data.

## **Informing and Educating Persons Affected by the Rule**

Staff have already conducted two years of outreach with stakeholders which has resulted in a contact list of over 750 interested parties that Ecology uses to inform the interested parties about the rule. Ecology has given over 40 public presentations, including two public hearings, on the rule and will continue public outreach between rule adoption and the first report deadlines.

Ecology maintains a greenhouse gas reporting program website that houses many technical assistance documents and resources, including: press releases, focus sheets, and frequently asked questions. This website will continue to be updated. Ecology coordinates outreach with EPA and DOL to reach the largest possible audience while maintaining a unified message. Ecology staff will continue to be available for technical assistance as needed.

## **Promoting and Assisting Voluntary Compliance**

Ecology will rely on the education and communication methods above to inform persons impacted by this rule. The rule is designed to parallel existing EPA and DOL reporting programs, which should minimize effort and increase compliance for most reporters. It will also allow reporters to use EPA and DOL technical assistance programs. Phasing the start of the program until 2012 emissions reported in 2013 gives reporters time to adapt to reporting.

## **Evaluating the Rule**

Ecology will compare facility emissions to EPA records. Staff will also cross check with preliminary estimates developed by the Air Quality Program and Climate Change Group as well as the statewide top down inventory. Fuel supplier information will be crosschecked with DOL records. We will gain knowledge and accuracy with each new report and refine the system as needed. Continued input from reporters will also help refine the system.

## **Training and Informing Ecology Staff**

Staff involved in implementing this rule have been involved in the rule's development. Staff will continue to familiarize themselves with the related EPA and DOL reporting systems. Staff will participate in EPA training sessions for the federal greenhouse gas reporting program. Internally, more experienced staff can train new team members.

## **List of Supporting Documents that May Need to be Written or Revised**

Ecology will update the Greenhouse Gas Reporting web site, Frequently Asked Questions Publication Number: 08-02-023, and develop training materials and presentations as needed.

## **More Information**

[http://www.ecy.wa.gov/programs/air/globalwarm\\_RegHaze/GreenHouseGasreporting\\_rule.html](http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/GreenHouseGasreporting_rule.html)

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