



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

## **Rule Implementation Plan**

### **Petroleum Refinery Greenhouse Gas Emission Requirements**

#### **Chapter 173-485 WAC**

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## Publication and Contact Information

This report is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/SummaryPages/1402007.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

The Department of Ecology (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

On May 28, 2014, Ecology adopted Chapter 173-485 WAC Petroleum Refinery Greenhouse Gas Emission Requirements (AO #13-03). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-485 WAC about how 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

*[Describe how Ecology intends to implement and enforce the rule. Include a description of the resources we intend to use. RCW 34.05.328(3)(a)]*

- The Northwest Clean Air and Puget Sound Clean Air Agencies regulate the refineries affected by this rule.
- The two local air agencies will implement and enforce this rule.
- We anticipate very minimal additional resources from Ecology are needed to implement and enforce this rule.

# Informing and Educating Persons Affected by the Rule

*[Describe how Ecology intends to inform and educate persons affected by the rule. RCW 34.05.328(3)(b)]*

To help inform and educate the affected persons, Ecology is doing or has done the following:

During the rule-making process:

- Sent out public notices

- Used a distribution list created for this rule making to send updates
- Posted information on Ecology’s agency and Air Quality web pages, including WAC Track
- Held three public stakeholder meetings to gather stakeholder input prior to rule proposal filing
- Held public meetings for specific stakeholder groups upon request
- Held a public hearing with a public workshop
- Met with focus groups of stakeholders to work through specific issues

Once rule is adopted:

- Issue a press release announcing the adoption of the rule
- Email stakeholders who have requested to be on our distribution list for this rule making
- Post the adopted rule, Concise Explanatory Statement, Cost Benefit Analysis, Rule Implementation Plan, and Rule Adoption Notice on the internet for public access
- Inform and educate the public when they contact Ecology

## Promoting and Assisting Voluntary Compliance

*[Describe how Ecology intends to promote and assist voluntary compliance. RCW 34.05.328(3)(c)]*

The actions mentioned above to inform and educate affected persons on the changes also help to promote voluntary compliance. Program staff is available to respond to stakeholder phone and e-mail inquiries.

## Evaluating the Rule

*[Describe how Ecology intends to evaluate whether the rule achieves the purpose for which it was adopted. This includes to the maximum extent practicable, the use of interim milestones to assess progress and the use of objectively measurable outcomes. RCW 34.05.328(3)(d)]*

The rule establishes RACT to reduce GHG emissions from petroleum refineries. Northwest Clean Air Agency and Puget Sound Clean Air Agency are the implementing agencies for this rule. They will review annual reports to determine compliance in meeting the GHG RACT requirements. The five Washington petroleum refineries must:

- Meet GHG RACT requirements using one of two options:
  - Energy efficiency standard
  - Emission reduction requirement
- Submit annual reports to implementing agency until compliance is demonstrated.
- Keep records for five years after compliance is demonstrated.

The refineries have until 2025 to meet requirements. The annual reports are to be submitted to the permitting authority until the refinery demonstrates compliance. Once a refinery is certified as having demonstrated compliance, no additional annual reports are required. The first annual report from refineries is due in October 2014.

We anticipate having a better idea about the success of this rule after the reports are analyzed. As the reports come in, staff will work with local air agencies to determine if there are rule structure



or language challenges. Rule language will be modified as needed to clarify and eliminate confusion.

## **Training and Informing Agency Staff**

*[Describe how Ecology plans to train and inform our staff.]*

Program staff who worked on this rule making will continue to network with other staff throughout Ecology and affected local air agencies as needed. No additional training is required.

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

*[Provide a list of supporting documents that may need to be written or revised because of the new rule or amended rule.]*

We have identified no supporting documents that may need to be written or revised. Rule-making documents are available on Ecology's website at <http://www.ecy.wa.gov/laws-rules/WAC173485/1303.html>.

## **More Information**

*[Provide links to web site(s) or other resources that contain more rule related information.]*

Rule making documents are available at: <http://www.ecy.wa.gov/laws-rules/WAC173485/1303.html>.

## **Contact Information**

*[Provide contact information for the Ecology employees who can answer questions about the rule implementation. Provide the name, address, phone, and e-mail for each Ecology employee.]*

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