



Rule Implementation Plan Chapter 173-441 WAC Reporting of Emissions of Greenhouse Gases

Washington State Department of Ecology
Olympia, Washington

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¹ www.ecology.wa.gov/contact

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

Rule Implementation Plan

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DEPARTMENT OF
ECOLOGY
State of Washington

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Purpose

The Washington State 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 adoption.

Introduction

On February 9, 2022, Ecology adopted amendments to Chapter 173-441 WAC Reporting of Emissions of Greenhouse Gases (AO # 21-07). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-441 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

Ecology implements this rule through staff in the Climate Commitment Act Section within the Air Quality Program at the Headquarters office in Lacey. To implement the rule, Ecology staff will:

- Develop a reporting spreadsheet to facilitate reporting by natural gas suppliers. Ecology will make the reporting spreadsheet available prior to the March 31, 2022 reporting deadline, and will integrate a list of large reporters into the calculation spreadsheet to facilitate supplier reporting.
- Develop a reporting spreadsheet to facilitate reporting by fuel suppliers other than suppliers of natural gas. Ecology will make the reporting spreadsheet available prior to the March 31, 2023 reporting deadline.
- Develop reporting spreadsheets to facilitate reporting by electric power entities. Ecology will make the reporting spreadsheet available prior to the March 31, 2023 reporting deadline.

- Develop a reporting spreadsheet to facilitate reporting new data elements such as product data and electricity use or generation by facilities. Ecology will make the reporting spreadsheet available prior to the September 15, 2022, Emissions-Intensive, Trade-Exposed (EITE) no cost allowance allocation baseline reporting deadline.
- Post a list of approved third-party verification bodies on the agency website.

Because the reporting requirements are new to many reporters, particularly suppliers and electric power entities, the rule phases in enforcement of new reporting requirements for one year. This will allow reporters and Ecology to work together to improve report quality. While Ecology may still penalize a reporter for not submitting a report, Ecology will not issue a penalty for incorrectly reporting new data elements for one year.

Informing and Educating Persons Affected by the Rule

Throughout the rulemaking process, Ecology has done the following to help inform interested persons:

- Emailed notice to the Greenhouse Gas Reporting Program email list, current greenhouse gas reporters, the Air Quality Program general distribution list on rules and statewide plans email list, the Climate Commitment Act email list, and the WACTrack email list;
- Sent out public notices and issued a press release;
- Posted information on Ecology’s Greenhouse Gas Reporting rulemaking website; and
- Held one stakeholder meeting and one public hearing via webinar.

Ecology will continue to notify interested persons through the Greenhouse Gas Reporting Program email list about the adopted rule. We will also send email notifications to reporters that currently report their greenhouse gas emissions to Ecology and individuals that commented on the rulemaking.

Ecology maintains a website for the Greenhouse Gas Reporting Program that houses many technical assistance documents and resources including press releases, focus sheets, and frequently asked questions. We will continue to update this website.

As need arises, additional focus sheets or other materials may be developed to answer common questions about the revised rule.

Training

Ecology will hold the following trainings:

- Training and technical assistance on the amended rule; and
- Verifier training and certification events.

Ecology will send information about these trainings to current reporters and post the information on the Greenhouse Gas Reporting Program website.

Promoting and Assisting Voluntary Compliance

The actions mentioned above that inform and educate stakeholders also help promote voluntary compliance. A number of other activities have proven useful in promoting voluntary compliance, such as:

- Posting the regulations and guidance documents on Ecology’s website.
- Training Ecology staff on new and amended regulations so they can answer questions.
- Maintaining a file for comments and suggestions for improving regulations. We use the file during each subsequent rulemaking. These suggestions come from Ecology staff and the regulated community.

Evaluating the Rule

Ecology will monitor the impacts of the rule. To evaluate the effectiveness of the rule, Ecology will do the following:

- Work closely with facilities, suppliers, and electric power entities that report greenhouse gas emissions; and
- Continue to track greenhouse gas emissions sources and protocols, and update this regulation as appropriate when new sources meet statutory requirements.

Training and Informing Ecology Staff

Staff responsible for implementing this rule have been involved in the development of the rule amendments. Ecology will use staff meetings, the agency website, and email to train and inform any additional agency staff.

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

We have identified the supporting items that we may need to write, revise, or develop because of the amended rule:

- Training Presentation
- Ecology’s Greenhouse Gas Reporting Program website

We may need to write additional guidance documents for new reporters that explain their reporting responsibilities.

More Information

- [Rulemaking website](https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-441)² for rulemaking activities and documents
- [Greenhouse Gas Reporting Program website](https://ecology.wa.gov/Air-Climate/Climate-change/Tracking-greenhouse-gases/Greenhouse-gas-reporting)³

² <https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-441>

³ <https://ecology.wa.gov/Air-Climate/Climate-change/Tracking-greenhouse-gases/Greenhouse-gas-reporting>

- [Chapter 70A.65 RCW](#)⁴ Greenhouse Gas Emissions – Cap And Invest Program
- [RCW 70A.15.2200](#)⁵ ... Adoption of rules requiring persons to report emissions of greenhouse gases
- [Greenhouse Gas Reporting Program email list](#)⁶

Contact Information

For more information about how Ecology will implement these regulations, contact:

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⁴ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.65>

⁵ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.15.2200>

⁶ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_143