



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

Chapter 173-424 WAC, Clean Fuels Program Rule

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Implementation Plan
Chapter 173-424 WAC
Clean Fuels Program Rule

Climate Pollution Reduction Program
Washington State Department of Ecology
Olympia, 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 adoptions.

Introduction

On October 20, 2025, Ecology adopted amendments to Chapter 173-424 WAC, Clean Fuels Program Rule (AO # 23-10). The purpose of this rule implementation plan is to inform those who must comply with Chapter 173-424 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 rule implementation.

Implementation and Enforcement

This rule applies to transportation fuel suppliers and distributors in Washington. Other entities may join the program voluntarily to generate credits.

Ecology implements the rule through staff in the Greenhouse Gas Inventory and Transportation Section within the Climate Pollution Reduction Program. Staff will be available for technical assistance and training throughout program implementation.

The new third-party verification requirements will go into effect in 2028. Ecology is in the process of developing guidance about this program and will release additional information in the upcoming months.

Ecology will enforce this rule through verification and periodic audits of quarterly and annual reports.

As required by Chapter 70A.535 RCW, Ecology will:

- Work with the Department of Commerce on the development of a periodic fuel supply forecast.
- Monitor biofuel capacity in Washington State to ensure that one or more new or expanded biofuel production facilities has received a permitting, siting, or operation permit, as specified in RCW 70A.535.025.
- Hold credit clearance markets if necessary.
- Notify the Washington State Department of Revenue when an alternative jet fuel production facility with a cumulative production threshold of 20 million gallons of fuel annually begins operating in Washington.

Ecology has convened a stakeholder advisory panel with representatives from the forestry and agricultural sectors and related fields to solicit input on carbon sequestration activities related to the Clean Fuel Standard, as directed by RCW 70A.535.060. Ecology will continue to meet periodically with the panel throughout the life of the program.

Informing and Educating Persons Affected by the Rule

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

- Held numerous public meetings throughout the rule development process, including:
 - Eight informal workshops (two for each of the four “stages” of rulemaking, to accommodate schedules of interested parties and increase access) in 2024.
 - A webinar focused specifically on environmental justice issues, September 2024.
 - A listening session about the use of “mass balance accounting” with entities reporting liquid fuels in the program, June 2024.
 - Two public hearings held via Zoom in July 2025 to discuss and solicit comment on Ecology’s formal rule proposal.
- Issued a press release following rule proposal.
- Posted information on Ecology’s Clean Fuels Program rulemaking webpage, the general Clean Fuel Standard webpage and shared information through the email list that has over 3,000 subscribers.
- Presented at conferences, trade association meetings, and other events attended by potentially interested persons.
- Held numerous additional meetings with program participants, regulated entities, community organizations, environmental groups, industry associations, other state agencies, academia, and other interested parties.

Ecology will continue to notify interested persons through the Clean Fuels email list about the adopted rules and other program developments.

Ecology will also continue to present about the program at relevant conferences to provide additional opportunities for regulated and interested parties to learn about the rule.

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, the regulated community, and other interested stakeholders.

Ecology has also established a dedicated email address to answer technical questions related to the program (cfs@ecy.wa.gov) and an additional dedicated email address to answer questions related to the Washington Fuel Reporting System (WFRSAdmin@ecy.wa.gov). Technical staff will be available to respond to questions submitted to these email addresses and by phone.

Evaluating the Rule

To evaluate the effectiveness of the rule, CFS program staff will do the following:

- Work closely with transportation fuel suppliers that are required to comply with the rule;
- Monitor clean fuels programs in other states, such as Oregon and California, and update this regulation as appropriate to harmonize with other states' rule updates;
- Announce additional rulemaking in the upcoming months to set updated carbon intensity standards for the years 2028 through 2038, as set by House Bill 1409 (passed by the state legislature in 2025);
- Consider other rulemaking activities to further improve the program and align with agency priorities;
- Conduct biennial workload assessments with the Department of Commerce to ensure program fees align with program implementation costs;
- Conduct a biennial review of new clean fuels technologies and modify rules as needed to maintain a stable credit market, as directed by RCW 70A.535.060;
- Provide data and information to the Joint Legislative Audit and Review Committee, who is required to submit a report to the Legislature analyzing impacts of the initial five years of program implementation; and
- Monitor the credit market and work to ensure credit price consistency with other jurisdictions with similar programs.

Training and Informing Ecology Staff

Ecology staff in the Greenhouse Gas Inventory and Transportation Section within the Climate Pollution Reduction Program will also be responsible for rule implementation. Staff have given presentations about the rule at Ecology all-staff meetings, monthly meetings within programs and sections, and the agency climate resiliency team meetings. Ecology will continue to utilize staff meetings, the agency website, agency intranet, and email to educate agency staff.

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

Ecology has developed various guidance documents, forms, and user guides to help implement this rule and support program participation. These files are stored on Ecology's [Clean Fuel Standard Program Documents webpage](#). While most files currently listed are related to general implementation of this rule, CFS program staff plan to develop and add new documents to help support implementation of various rule amendments that were recently adopted, such as the third-party verification program.

General updates to guidance documents and other forms will be announced periodically via Ecology's Clean Fuels email list. Ecology will develop additional guidance documents or other resources as needed.

Ecology's website also houses many technical assistance documents and resources including focus sheets, slides from stakeholder meetings and the public hearing, and carbon intensity modeling resources. We will continue to update this website as needed.

More Information

- [Rulemaking website](#) for information about this rulemaking.
- Ecology's [Clean Fuel Standard website](#) for general information about the program.
- Sign up for program updates via the [Clean Fuel Standard email list](#).
- Review the authorizing statute, [Chapter 70A.535 RCW: Transportation Fuel - Clean Fuels Program](#).

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