



DEPARTMENT OF
ECOLOGY
State of Washington

Appendix C to
Concise Explanatory Statement
Chapter 173-442 WAC
Clean Air Rule
Chapter 173-441 WAC
Reporting of Emissions of Greenhouse Gases

Transcript from July 7, 2016 public hearing

September 2016
Publication no. 16-02-014

Publication and Contact Information

This publication is available on the Department of Ecology's website at <https://fortress.wa.gov/ecy/publications/SummaryPages/1602014.html>

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Appendix C to Concise Explanatory Statement

**Adoption of
Chapter 173-442 WAC
CLEAN AIR RULE**

and

**Amendments to
Chapter 173-441 WAC
REPORTING OF EMISSIONS OF GREENHOUSE GASES**

Prepared by
Capitol Pacific Reporting, Inc.

Air Quality Program
Washington State Department of Ecology
Olympia, Washington

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W E B I N A R P R O C E E D I N G S

PROPOSED AMENDMENT of GREENHOUSE GAS REPORTING RULE,
CHAPTER 173-441 WAC
and
PROPOSED NEW CLEAN AIR RULE, CHAPTER 173-442 WAC
JULY 7, 2016

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P R O C E E D I N G S

MS. CONKLIN: I'm Becca Conklin, the hearing officer, for this hearing on the proposed amendment to the Greenhouse Gas Reporting Rule, Chapters 173-441 Washington Administrative Code; and the new proposed Clean Air Rule, Chapter 173-442 Washington Administrative Code.

We have a court reporter with us, who is transcribing the hearing.

Let the record show it is 6:41 on July 7th, 2016. And this hearing is being held as a webinar using WebEx.

Legal notice of the hearing was published in the Washington State Register, Number 16-12-098 on May 31, 2016.

On June 1st, 2016, Ecology issued a state-wide news release on the rulemaking and hearings; placed information on their website for the rule and in the online public calendar; and announcements went out by email to the following ListSrvs and distribution lists: The Clear Air Rule email distribution list; the Air Quality Rule and SIP Listserv; the GHG Reporting Listserv; Washington Carbon Reduction Listserv; and the WAC Track Listserv.

Ecology sent a reminder about the the public hearing dates and times to the Clean Air Rule list on July 6, 2016.

1 We will now take formal comments from those who would
2 like to make them. The web moderator, Tim, will call you
3 to testify in the order in which I see the raised hand
4 webinar (sic).

5 The web moderator, Tim, will unmute your line and
6 introduce you. At that time, please, state your name, and
7 the company or organization you represent, if any.

8 We'll do our best to pronounce your name correctly.
9 Please feel free to correct us.

10 Remember we're limiting comments to about ten
11 minutes.

12 When you have 30 seconds left to complete your
13 testimony, the web moderator will notify you. When your
14 time is up, the web moderator will mute your line. And I
15 will call the next person to testify.

16 Tim, who do we have first?

17 MODERATOR TIM: We have G. Brewer.

18 Go ahead, G.

19 GRETCHEN BREWER: Hi there. I'm Gretchen
20 Brewer. With PTO Auctions in Port Townsend, Washington.
21 And I have several comments: One is -- well, first is
22 technical but needs being included, it's that the
23 interface is problematic because you need a fairly new
24 operating system for it to work, so that shuts off people
25 who don't have the most recent operating systems, some

1 have that problem.

2 As to this particular issue I -- well, want this
3 clarified but I will enter it as a comment then, the CO2e
4 calculations need to include all the CO2e, not just -- I
5 know a lot of regulatory things exclude the so-called
6 biogenic CO2. And that is a problem if that's not
7 included, because that allows industries to just shift,
8 you know, fuel mix and get a reduction on paper, without
9 doing anything real to the actual CO2 in the air.

10 I have a problem with the cap and trading system
11 because, for instance, we have a polluting paper mill here
12 that emits 600,000 metric tons per year of CO2. And if
13 they're allowed to do projects to -- you know, instead of
14 actually reducing their CO2, that means that other areas
15 may get a -- may get a benefit from it that the air and
16 the water around here do not get a benefit. So there
17 needs to be a severe limit to any more or -- I'm sorry --
18 any of the credits that are allowed, there needs to be a
19 severe limit to that.

20 And third I see that, for instance, Port Townsend
21 Paper Corporation would not be rolled into the program
22 until 2032. And they are far, far, far above your top
23 tier of emitters. So this seems to be a real problem in
24 achieving actual reductions.

25 I'll limit my comments to that for right now -- oh,

1 one more comment is, too, I see in your materials you say
2 you're looking at 1.7 percent decrease per year. And
3 that's virtually nothing. They could do that by turning
4 out the lights, you know, and spreading that out over
5 several years. So I would like to see a much greater
6 reduction. And I will look forward to gathering more
7 information so I can present further comments.

8 Thank you.

9 MS. CONKLIN: Thank you for your comment.

10 Tim, do we have another commentor?

11 MODERATOR TIM: We do. We have Alec Murphy
12 (sic).

13 Go ahead, Alec.

14 ALEC HUMPHREYS: Hi. I just have a short
15 statement because I believe that this whole seminar,
16 whatever it is, is kind of a fiasco because we're going
17 with what -- off -- let's assume that what the State says
18 is right. However, the State assumes old science. This
19 rule is not based on science. We're going to -- according
20 to James Hansen, the foremost climate scientist among many
21 others, we must start reducing by 8 percent immediately
22 not 1.7 percent. If we wait until 2020, for example,
23 we'll have to reduce by 10 percent. This is a crisis, an
24 urgent crisis. The draft Clean Air Rule is not anywhere
25 near adequate, and again is not based on accepted

1 science.

2 MS. CONKLIN: Thank you.

3 ALEC HUMPHREYS: Yeah. Are you still there?

4 MS. CONKLIN: We are. Do you have any more
5 comment?

6 ALEC HUMPHREYS: Yeah. I might have a little
7 more comment. Part of that was spontaneous, part was
8 read. But, yeah, I don't know. This -- I just don't
9 think the State did a very good job. And I think their
10 hands are tied. And it's kind of a joke. So let's all
11 try to do better and not ask this. The way it is now,
12 it's kind of ridiculous.

13 Thank you.

14 MS. CONKLIN: Thank you for your comment.

15 Do we have any other comments?

16 MODERATOR TIM: There are no more at the current
17 time.

18 MS. CONKLIN: At this point in time no one else
19 has wished -- indicated they wish to testify.

20 If you would like to send in comments, they must be
21 received by 5:00 p.m. on Friday, July 22nd, 2016. You may
22 submit comments by mail to Sam Wilson, at Washington State
23 Department of Ecology, Air Quality Program;
24 P.O. Box 57600; Olympia, Washington, 98504-7600.

25 Comments may also be emailed to aqcomments; that's

1 spelled, A-Q-C-O-M-M-E-N-T-S, at E-C-Y, dot, W-A, dot,
2 G-O-V; or faxed to 360-407-7534. These addresses are also
3 available on Ecology's webpage.

4 Today's hearing is the first hearing on the proposed
5 rules, Chapters 173-441 and 173-442 Washington
6 Administrative Code.

7 We will hold additional public hearings on
8 July 12th at 6:00 p.m. at the Davenport Grand Hotel in
9 downtown Spokane; July 14th, 2016, at 6:00 p.m. at the Red
10 Lion Hotel in Olympia; and July 15th at 10:00 a.m. by
11 webinar.

12 All testimony received at this hearing as well as
13 emails and hard copy comments received by 5:00 p.m. on
14 Friday, July 22nd will be part of the official record for
15 the proposed rule.

16 Ecology staff will respond to comments in a document
17 called a Concise Explanatory Statement or CES. The CES
18 will be available on Ecology's website after the rule is
19 adopted. Ecology will send out a notice about the
20 availability of the CES to the Listservs mentioned
21 previously.

22 The next step is to review the comments and make a
23 determination whether to adopt the rule. Ecology's
24 director, Maia Bellon, will consider the documentation and
25 staff recommendations and will make a decision about

1 adopting the rule.

2 Ecology expects to adopt the rule no earlier than
3 August 31st, 2016.

4 If we can be of further help to you please don't
5 hesitate to ask.

6 On behalf of the Department of Ecology, thank you for
7 coming this afternoon.

8 Let the record show this hearing was adjourned at
9 6:52 p.m.

10 You may now turn off the recorder, Tim. This
11 concludes our webinar.

12 Thank you for joining us tonight.

13

14 (Proceedings concluded at 6:52 p.m.)

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C E R T I F I C A T E

I, KANDI CLARK, a duly authorized Court Reporter in and for the State of Washington, residing at Olympia, authorized to administer oaths and affirmations pursuant to RCW 5.28.010, do hereby certify:

That the foregoing hearing transcribed by me by means of computer-aided transcription is a full, true, and complete transcript of the proceedings;

That I am not a relative, employee, attorney, or counsel of any party to this action or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion, I shall herewith securely seal the original transcript and serve same upon appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of July, 2016.



Kandi Kathryn Clark
CCR License #3008

