



STATE OF WASHINGTON  
ENERGY FACILITY SITE EVALUATION COUNCIL  
PO Box 43172 • Olympia, Washington 98504-3172

**Notice of Proposed Expedited Rule Making  
And  
Notice of Opportunity to File Written Comments  
(By Monday, June 6, 2011)**

**WAC 463-78-005 Adoption by reference – Greenhouse gas reporting rules**

The Energy Facility Site Evaluation Council (EFSEC) proposes to adopt a mandatory greenhouse gas reporting rule for persons operating a single facility, source, or site that emits at least 10,000 metric tons of greenhouse gases annually in the state.

EFSEC proposes to adopt Chapter 173-441 Washington Administrative Code (WAC) – Reporting of Emissions of Greenhouse Gases by reference into existing EFSEC rule, WAC 463-78 - General and Operating Permit Regulations for Air Pollution Sources, as WAC 463-78-005(5).

The state of Washington has taken several steps to begin responding to climate change. Executive Order 07-02, issued by the Governor in February 2007, established goals for the statewide reduction of emissions of greenhouse gases within Washington over the next several decades as one of the methods of addressing climate change. The 2007 Legislature passed Chapter 80.80 RCW establishing statutory goals for statewide reductions in greenhouse gases and setting a greenhouse gas emissions performance standard for baseload electric power generation.

Engrossed Second Substitute House Bill 2815 was passed by the 2008 Legislature and amended by Substitute Senate Bill No. 6373 in 2010 as part of the Governor's Climate Change Framework and is primarily codified in Chapters 70.94 and 70.235 RCW. One element of Chapters 70.94 and 70.235 RCW is a requirement for persons operating large stationary sources of greenhouse gases (GHGs) to begin reporting emissions.

The statute directs the Washington Department of Ecology (Ecology) and EFSEC to adopt consistent rules to implement a reporting system for those entities required to report. Ecology adopted Chapter 173-441 WAC on December 1, 2010, which became effective January 1, 2011. EFSEC proposes to adopt Ecology's rule by reference.

Interested persons can access information on this rulemaking on the EFSEC website at <http://efsec.wa.gov/rulerev.shtml> or by contacting:

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Interested persons are encouraged to go the Ecology web site for documents related to its greenhouse gas reporting rulemaking: <http://www.ecy.wa.gov/laws-rules/activity/wac173441.html>.

**Public Comment**

Interested persons are invited to submit written comments regarding this rule making. **To be considered, all comments must be submitted by 5:00 p.m., Monday, June 6, 2011.**

Comments should be sent to EFSEC: by email to [efsec@utc.wa.gov](mailto:efsec@utc.wa.gov); or EFSEC, Attn: Jim La Spina, P.O. Box 43172, Olympia, WA 98504-3172.