

**WAC 173-446-525 Monitoring, reporting, and record retention requirements for offset projects.**

(1) General requirements for monitoring equipment for offset projects. The offset project operator or authorized project designee must employ the procedures set forth in the applicable compliance offset protocol for monitoring measurements and project performance for offset projects. All required monitoring equipment must be maintained and calibrated in a manner and at a frequency required by the equipment manufacturer, unless otherwise specified in the applicable compliance offset protocol. All modeling, monitoring, sampling, and testing procedures must be conducted in a manner consistent with the applicable compliance offset protocol.

(2) The offset project operator or authorized project designee must use the missing data methods as provided in the applicable compliance offset protocol for that offset project type, if provided and applicable.

(3) An offset project operator or authorized project designee must install and operate all monitoring equipment and mechanisms required by the applicable compliance offset protocol for that offset project type as set forth in WAC 173-446-505(3).

(4) Offset project reporting requirements. An offset project operator or authorized project designee shall submit an offset project data report to ecology or the offset project registry, as applicable, for each reporting period.

(a) Each offset project data report must cover a single reporting period. Reporting periods must be contiguous, and there must be no gaps in reporting once the first reporting period has commenced.

(b) The offset project operator or authorized project designee must submit an offset project data report to ecology or the offset project registry, as applicable, within 28 months of listing their offset project and must also meet all other applicable deadlines pertaining to submittal of the offset project data report.

(i) An offset project data report may be submitted after the deadline identified in this subsection, but before the end of the next reporting period, to maintain continuous reporting for purposes of (a) of this subsection; however, no ecology offset credits will be issued for the GHG emission reductions or removal enhancements quantified and reported in the untimely offset project data report.

(ii) If the offset project operator or authorized project designee does not submit an offset project data report to ecology or an offset project registry within 28 months of listing an offset project, then the offset project operator or authorized project designee must update the listing information in the offset project data report to reflect the most recently adopted version of the applicable compliance offset protocol for that project type in order to remain eligible to be issued ecology offset credits. If an offset project data report that does not meet the 28 month deadline also fails to meet the four month deadline set in this section set forth in subsection (5) of this section, an offset project data report covering the reporting period must be submitted using the most recently adopted version of the applicable compliance offset protocol; however, no ecology offset credits will be issued for the GHG emission reductions or removal enhancements.

(iii) For forestry offset projects, when an offset project data report is not filed within the deadline specified in this subsection, the values used for  $AC_{\text{onsite},y-1}$  and  $BC_{\text{onsite},y-1}$  in the offset project data report for the subsequent reporting period will be the  $AC_{\text{onsite},y}$

and  $BC_{\text{onsite},y}$  values reported in the untimely offset project data report for the preceding reporting period. The offset project data report shall contain the information required by the applicable version of the compliance offset protocol for that offset project type as set forth in WAC 174-446-505(3).

(iv) For ozone depleting substance projects, one offset project data report may be submitted for each offset project and the offset project data report may cover up to a maximum of 12 months of data.

(v) If the offset project operator or authorized project designee fails to submit an offset project data report as required by this subsection, then the offset project will be considered terminated and no longer eligible for ecology offset credits.

(5) An offset project data report must be submitted to ecology or the offset project registry, as applicable, within four months after the conclusion of each reporting period. For a submission to be considered valid, the submitted offset project data report must include all required attestation(s) and must be signed by the offset project operator's primary account representative or alternate account representative.

(a) The primary account representative or alternate account representative on the offset project operator's tracking system account must attest, in writing, as follows: "I certify under penalty of perjury under the laws of the state of Washington the GHG emission reductions and/or GHG removal enhancements for (project) from (date) to (date) are measured in accordance with the (applicable Compliance Offset Protocol) and all information required to be submitted to Ecology or the Offset Project Registry, as applicable, in the Offset Project Data Report is true, accurate, and complete." This attestation must be provided with each version of the offset project data report to an offset project registry if the offset project is listed with an offset project registry, or to ecology if the offset project is listed with ecology.

(b) If an offset project data report is not submitted to ecology or an offset project registry as required by this subsection by the four-month reporting deadline, the GHG emission reductions and GHG removal enhancements quantified and reported in the untimely offset project data report are not eligible to be issued registry offset credits or ecology offset credits.

(6) Each version of an offset project data report submitted to ecology or an offset project registry must specify the version number and the date submitted.

(7) For any offset project reporting under a different version of the applicable compliance offset protocol than the version under which the project was initially listed, the offset project data report must include reference to both the version of the applicable compliance offset protocol under which the project was initially listed and the version under which the project is reporting.

(8) Requirements for records retention for offset projects. An offset project operator or authorized project designee must meet the following requirements:

(a) The offset project operator or authorized project designee must retain records containing the following information:

(i) All information submitted to ecology or an offset project registry as part of the offset project data report;

(ii) Documentation of the offset project boundary, including a list of all GHG emissions sources, GHG sinks, and GHG reservoirs included in the offset project boundary and the project baseline;

(iii) Fuel use and any other underlying measured or sampled data used to calculate project baseline emissions, GHG emission reductions, and GHG removal enhancements for each source, categorized by process and fuel, or material type;

(iv) Documentation of the process for collecting fuel use or any other underlying measured or sampled data for the offset project and its GHG emissions sources, GHG sinks, and GHG reservoirs for quantifying project baseline emissions, project emissions, GHG emission reductions, and GHG removal enhancements;

(v) Documentation of all project baseline emissions, project emissions, GHG emission reductions, and GHG removal enhancements;

(vi) All point of origin and chain of custody documents required by the applicable compliance offset protocol, if any;

(vii) All chemical analyses, results, and testing-related documentation for material and sources used for inputs to calculate project baseline emissions, project emissions, GHG emission reductions, and GHG removal enhancements;

(viii) All model inputs and assumptions used for quantifying project baseline emissions, project emissions, GHG emission reductions, and GHG removal enhancements;

(ix) Any data used to assess the accuracy of project baseline emissions, GHG emission reductions, and GHG removal enhancements from each offset project GHG emissions source, GHG sink, and GHG reservoir, categorized by process;

(x) Quality assurance and quality control information, including information regarding any measurement gaps, missing data substitution, calibrations or maintenance records for monitoring equipment, or models providing data for calculating project baseline emissions, project emissions, GHG emission reductions, and GHG removal enhancements;

(xi) A detailed technical description of any offset project continuous measurement/monitoring system(s), including documentation of any related findings and approvals by federal, state, or local agencies;

(xii) Raw and aggregated data from any measurement system;

(xiii) Documentation of any changes over time and the log book on tests, down-times, calibrations, servicing, and maintenance for any measurement/monitoring equipment providing data for project baseline calculations, project emissions, GHG emission reductions, and GHG removal enhancements;

(xiv) For sequestration offset projects, documentation of inventory methodologies and sampling procedures, including all calculation methodologies and equations used, and any data related to plot sampling;

(xv) Any other documents associated with the preparation of an offset project data report; and

(xvi) Any other documentation or data required to be retained by the applicable compliance offset protocol, if any.

(b) All records containing the information set forth in (a) of this subsection shall be retained in paper, electronic, or other useable format for a minimum of 15 years. For documents associated with the preparation of a particular offset project data report, the 15-year timeline begins on the date of issuance of ecology offset credits based on that offset project data report.

(c) The documents retained pursuant to this section must be sufficient to allow for third-party verification of each offset project data report.

(d) Upon request by ecology or an offset project registry, the offset project operator or authorized project designee must provide to ecology or the offset project registry, as applicable, all documents retained pursuant to this subsection, including data used to develop an offset project data report within 10 calendar days of the request.

(9) General procedure for interim data collection. This section only applies if the applicable compliance offset protocol does not already include methods, or does not include a specific method for the data in question, for collecting or accounting for missing data in the event of an unforeseen breakdown of gas or fuel analytical monitoring equipment or other data collection systems.

(a) In the event of an unforeseen breakdown of offset project data monitoring equipment and gas or fuel flow monitoring devices required for the GHG emission reductions and GHG removal enhancement estimation, ecology may authorize an offset project operator or authorized project designee to use an interim data collection procedure if ecology determines that the offset project operator or authorized project designee has satisfactorily demonstrated that:

(i) The unforeseen breakdown may result in a loss of more than 20 percent of the source's data for the year covered by an offset project data report;

(ii) The data monitoring equipment cannot be promptly repaired or replaced without shutting down a process unit significantly affecting the offset project operations, or that the monitoring equipment must be replaced and replacement equipment is not immediately available;

(iii) The interim procedure will not remain in effect longer than is reasonably necessary for repair or replacement of the malfunctioning data monitoring equipment; and

(iv) The request was submitted within 30 calendar days of the unforeseen breakdown of the data monitoring equipment.

(b) An offset project operator or authorized project designee seeking approval of an interim data collection procedure must, within 30 calendar days of the unforeseen monitoring equipment breakdown, submit a written request to ecology that includes all of the following:

(i) The proposed start date and end date of the interim procedure;

(ii) A detailed description of what data are affected by the breakdown;

(iii) A discussion of the accuracy of data collected during the interim procedure compared with the data collected under the offset project;

(iv) The offset project operator's or authorized project designee's usual equipment-based method; and

(v) A demonstration that no feasible alternative procedure exists that would provide more accurate emissions data.

(c) When approving an interim data collection procedure, ecology shall determine whether the accuracy of data collected under the procedure is reasonably equivalent to data collected from properly functioning monitoring equipment, and if it is not, the relative accuracy to assign for purposes of assessing possible offset material misstatement. Ecology may limit the duration of the interim data collection procedure or include other conditions it deems necessary for approval.

(d) Data collected pursuant to an approved interim data collection procedure shall be considered captured data for purposes of compliance with the applicable compliance offset protocol.

(10) General procedure for approving alternate monitoring and measurement methods pursuant to compliance offset protocols. This subsection applies only to alternate methods for monitoring and measurement that were not in common usage at the time when ecology adopted the applicable compliance offset protocol under which an offset project data report is being submitted. Alternate methods may include remote sensing methods for forestry or other alternate methods that meet the requirements of this subsection.

(a) An offset project operator or authorized project designee seeking approval of an alternate monitoring and measurement method must, at least 30 calendar days prior to the beginning of the reporting period in which the alternate method will be used, submit a written request to ecology that includes all of the following:

(i) The name and identification numbers of the offset project for which the alternate method is proposed;

(ii) The beginning and end dates for the reporting period for which the alternate method is proposed;

(iii) A detailed description of the alternate method. This description must include:

(A) The purpose for which the alternate method is proposed;

(B) A discussion of the accuracy of the alternate method, including any peer-reviewed literature or other information that the offset project operator or authorized project designee believes may aid ecology in making a determination of the accuracy of the method; and

(C) A detailed analysis identifying how the alternate method is consistent with the relevant requirements, and not explicitly prohibited by the applicable compliance offset protocol.

(b) A request for approval of an alternate method may only be submitted for a reporting period for which a project is receiving a full offset verification.

(c) Ecology shall provide written notification to the offset project operator or the authorized project designee of approval or disapproval of the interim alternate method within 30 calendar days of receipt of the request, or within 30 calendar days of receipt of any additional information requested by ecology, whichever is later.

(i) Ecology may approve an alternate method on an interim basis for one reporting period to review the accuracy of the method before approving it for subsequent reporting periods. Approval of an alternate method on an interim basis in and of itself does not provide any presumption of approval on a longer term basis. Ecology may also include other conditions it deems necessary as part of its interim approval.

(ii) Before approving an alternate method, ecology shall determine that the accuracy of the alternate method is at least reasonably equivalent to the accuracy of the method(s) commonly employed when the applicable compliance offset protocol was adopted and that the alternate method is capable of being verified to a reasonable level of assurance.

(iii) Prior to approving any request for approval of an alternate method, ecology may request additional information from the offset project operator or authorized project designee seeking approval.

(d) Data collected pursuant to an approved alternate method shall be considered in compliance with the requirements of the applicable compliance offset protocol.

(e) If information comes to ecology's attention subsequent to approving an alternate method indicating that the alternate method is not at least reasonably equivalent to the accuracy of the method(s) commonly employed when the applicable compliance offset protocol was adopted, or is not capable of being verified to a reasonable level of assurance, ecology may rescind approval of the alternate method at any time.

(f) If after using the alternate method for one reporting period ecology has determined that the alternate method is at least reasonably equivalent to the accuracy of the method(s) commonly employed when the applicable compliance offset protocol was adopted, ecology may approve the alternate method, including any conditions, on a permanent basis.

(g) For the purposes of this section, "common usage" means a method that is demonstrated to be in use by an offset project using the same protocol type (e.g., U.S. forests, livestock, etc.) on the compliance or voluntary market in the U.S. at the time of adoption of the applicable compliance offset protocol.

(11) Modifications to the reporting period. Modifications to the reporting period are only allowed by notifying ecology in writing or by providing updated listing information with the submittal of the offset project data report, and only if ecology is notified in writing prior to any deadlines being missed.

(a) The first reporting period for an offset project in an initial crediting period may consist of six to 24 consecutive months.

(b) All subsequent reporting periods in an initial crediting period and all reporting periods in any renewed crediting period must consist of 12 consecutive months, except that offset projects that submitted a first reporting period in the initial crediting period that was less than 24 consecutive months may include any months not included in the first reporting period in the final reporting period of the initial crediting period, such that the combined duration of the initial and final reporting periods in the initial crediting period do not exceed 36 months total.

(c) The reporting period may not be longer than 12 months and there is no minimum time frame imposed for the reporting period.

[Statutory Authority: RCW 70A.65.220. WSR 22-20-056 (Order 21-06), § 173-446-525, filed 9/29/22, effective 10/30/22.]