

WAC 173-441-020 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) Definitions specific to this chapter:

(a) "Biomass" means nonfossilized and biodegradable organic material originating from plants, animals, or microorganisms, including products, by-products, residues and waste from agriculture, forestry, and related industries as well as the nonfossilized and biodegradable organic fractions of industrial and municipal wastes, including gases and liquids recovered from the decomposition of nonfossilized and biodegradable organic material.

(b) "Carbon dioxide equivalent" or "CO₂e" means a metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

(c) "Department of licensing" or "DOL" means the Washington state department of licensing.

(d) "Director" means the director of the department of ecology.

(e) "Ecology" means the Washington state department of ecology.

(f) "Facility" unless otherwise specified in any subpart of 40 C.F.R. Part 98 as adopted by September 1, 2016, means any physical property, plant, building, structure, source, or stationary equipment located on one or more contiguous or adjacent properties in actual physical contact or separated solely by a public roadway or other public right of way and under common ownership or common control, that emits or may emit any greenhouse gas. Operators of military installations may classify such installations as more than a single facility based on distinct and independent functional groupings within contiguous military properties. All source categories in WAC 173-441-120 are considered facilities even if the source category name includes the word "supplier."

(g) "Greenhouse gas," "greenhouse gases," "GHG," and "GHGs" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Beginning on January 1, 2012, "greenhouse gas" also includes any other gas or gases designated by ecology by rule in Table A-1 in WAC 173-441-040.

(h) "Person" includes:

(i) An owner or operator, as those terms are defined by the United States Environmental Protection Agency in its mandatory greenhouse gas reporting regulation in 40 C.F.R. Part 98, as adopted by September 1, 2016; and

(ii) A supplier.

(i) "Product data" means data related to a facility's production that is part of the annual GHG report.

(j) "Supplier" or "transportation fuel supplier" means:

(i) Any person who is:

(A) A motor vehicle fuel or special fuel supplier or distributor, as those terms are defined in RCW 82.38.020; or

(B) A distributor of aircraft fuel, as the term is defined in RCW 82.42.010.

(ii) Any use of the term "supplier" in a source category in WAC 173-441-120 or incorporated from 40 C.F.R. Part 98, as adopted by September 1, 2016, is not a "supplier" under this definition. Those uses are instead types of "facilities."

(2) Definitions specific to suppliers. Suppliers must use the definitions found in the following statutes unless the definition is

in conflict with a definition found in subsection (1) of this section. These definitions do not apply to facilities.

(a) Chapter 82.38 RCW; and

(b) Chapter 82.42 RCW.

(3) **Definitions from 40 C.F.R. Part 98.** For those terms not listed in subsection (1) or (2) of this section, the definitions found in 40 C.F.R. § 98.6 or a subpart as adopted in WAC 173-441-120, as adopted by September 1, 2016, are adopted by reference as modified in WAC 173-441-120(2).

(4) **Definitions from chapter 173-400 WAC.** If no definition is provided in subsections (1) through (3) in this section, use the definition found in chapter 173-400 WAC.

[Statutory Authority: Chapters 70.94, 70.235 RCW. WSR 16-19-047 (Order 15-10), § 173-441-020, filed 9/15/16, effective 10/16/16; WSR 15-04-051 (Order 13-13), § 173-441-020, filed 1/29/15, effective 3/1/15. Statutory Authority: 2010 c 146, and chapters 70.235 and 70.94 RCW. WSR 10-24-108 (Order 10-08), § 173-441-020, filed 12/1/10, effective 1/1/11.]