

**WAC 173-485-040 Greenhouse gas reasonably available control technology emission standard.** (1) **Energy efficiency standard.** The owner/operator of each petroleum refinery subject to this rule shall meet the requirement to use reasonably available control technology (RACT) for greenhouse gas emissions by demonstrating the petroleum refinery has a calculated EII® equal to or more efficient than the EII® value representing the fiftieth percentile EII® of similar sized United States refineries, based on 2006 data and the EPA EnergyStar® calculation methodology. The petroleum refinery must demonstrate compliance with WAC 173-485-050 in the annual report required in WAC 173-485-090 using any EII® report issued between 2006 and the first annual report. If a petroleum refinery is unable to or chooses not to demonstrate compliance with the energy efficiency standard in the first annual report required in WAC 173-485-090, the petroleum refinery shall document that it has met the requirements of subsection (2) of this section no later than October 1, 2025.

(2) **Emission reduction requirement.** A petroleum refinery that does not meet the requirements of subsection (1) of this section, must:

(a) No later than October 1, 2025, have implemented greenhouse gas reduction projects that:

(i) Result in cumulative annual emissions reduction(s) equivalent to ten percent of the facility's baseline greenhouse gas emissions (as CO<sub>2</sub>e); or

(ii) Result in the petroleum refinery meeting the energy efficiency standard in subsection (1) of this section.

(b) Demonstrate compliance with the emission reduction requirement in WAC 173-485-060.

[Statutory Authority: Chapter 70.94 RCW. WSR 14-12-038 (Order 13-03), § 173-485-040, filed 5/28/14, effective 6/28/14.]