

WAC 173-407-120 Greenhouse gas emissions performance standard applicability for Part II. (1) Starting July 1, 2008, a baseload electric generation facility or unit or baseload electric cogeneration facility or unit located in Washington is subject to the GHG EPS each time it meets one of the following conditions:

- (a) Commence commercial operation;
- (b) New ownership interest;
- (c) New or renewed long-term financial commitment; or
- (d) Upgraded.

(2) Starting July 1, 2008, a baseload electric generation facility or unit or baseload electric cogeneration facility or unit is subject to the GHG EPS when it enters into a long-term financial commitment to serve power to Washington customers.

(3) Exceptions to the conditions in subsections (1) and (2) of this section are as follows:

(a) A baseload electric cogeneration facility or unit fueled by natural gas or waste gas or a combination of the two fuels that was in operation before July 1, 2008, is exempt from meeting the GHG EPS until:

- (i) Change in ownership; or
- (ii) Upgraded.

(b) A baseload electric generation facility or unit or baseload electric cogeneration facility or unit fueled by at least 90 percent renewable fuels, on an annual heat input basis, is deemed to be in compliance with the GHG EPS;

(c) A baseload electric generation facility or unit powered exclusively by renewable resources is deemed to be in compliance with the GHG EPS;

(d) A new or renewed long-term financial commitment with the Bonneville power administration is exempt from meeting the GHG EPS;

(e) Long-term purchase of coal transition power and the coal-fired power plant providing the power are exempt from meeting the GHG EPS as provided by RCW 80.80.040 (3)(c).

[Statutory Authority: Chapter 80.80 RCW. WSR 18-05-091 (Order 16-12), § 173-407-120, filed 2/21/18, effective 3/24/18; WSR 08-14-011 (Order 07-11), § 173-407-120, filed 6/19/08, effective 7/20/08.]