Environment & Energy Committee

HB 1985

Brief Description: Providing regulatory relief from greenhouse gas emissions rules for producers of agricultural commodities and food products.

Sponsors: Representatives Maycumber, Kretz, Walsh and Eslick.

Brief Summary of Bill

- Provides that producers of agricultural commodities or food products may request the Department of Ecology (Ecology) to calculate the greenhouse gas emissions in a comparison of a specified competitor's agricultural commodity or food product from out-of-state against the same type of in-state agricultural commodity or food product.

- Requires Ecology to provide regulatory relief to a producer of agricultural commodities or food products if the greenhouse gas emissions from out-of-state agricultural commodities or food products exceed the amount of greenhouse gas emissions of producing the in-state agricultural commodity or food product.

- Requires the Department of Commerce to develop a greenhouse gas emissions shipping modeling tool.

Hearing Date: 2/18/19

Staff: Nikkole Hughes (786-7156).

Background:

Federal and State Regulation of Greenhouse Gases.
The United States Environmental Protection Agency (EPA) and the Washington State Department of Ecology (Ecology) identify carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride as greenhouse gases because of their capacity to trap heat in the Earth's atmosphere. Under the federal Clean Air Act, greenhouse gases are regulated as an air pollutant and are subject to several air regulations administered by the EPA.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

At the state level, greenhouse gases are regulated by Ecology under the state Clean Air Act (CAA). The CAA authorizes Ecology to adopt rules requiring persons to report emissions of greenhouse gases where those emissions from a single facility, source, or site, or from fossil fuels sold in Washington by a single supplier, meet or exceed 10,000 metric tons of carbon dioxide equivalent annually.

Summary of Bill:

If a rule is created that regulates greenhouse gas emissions of agricultural activities and food processing, the producers of agricultural commodities or producers of food products may request the Department of Ecology (Ecology) to calculate the greenhouse gas emissions in a comparison of a specified competitor's agricultural commodity or food product imported from out-of-state against the same type of agricultural commodity if obtained in the state. If Ecology determines that the greenhouse gas emissions from the out-of-state produced agricultural commodity or food product exceed the amount of greenhouse gas emissions of producing the in-state agricultural commodity or food product, Ecology must provide regulatory relief for the producer of the agricultural commodity or food product to assure that the producer remains competitive in the global market. By November 30 of each year, Ecology must report what regulatory relief it granted to the appropriate committees of the Legislature.

The Department of Commerce, in consultation with Ecology, transportation-industry experts, and other business-related interests, must create a greenhouse gas emissions shipping modeling tool that allows a producer of a product to estimate the amount of greenhouse gas emissions produced when importing products and goods from out-of-state locations. The model may address more than transportation emissions, including differences in energy sources, environmental regulations, and whether the product was created using emission reducing technology that is comparable to state requirements.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.