

WAC 173-424-120 Applicability. (1) Except as exempted in WAC 173-424-130, this rule applies to:

(a) Any transportation fuel, as defined in WAC 173-424-110, that is sold, supplied, or offered for sale in Washington; and

(b) Any fuel reporting entity, as defined in WAC 173-424-110 and specified in WAC 173-424-200 through 173-424-220 is responsible for reporting a transportation fuel in a calendar year.

(2) Regulated fuels. This rule applies to the following types of transportation fuels including, but not limited to:

(a) Gasoline;

(b) Diesel or diesel fuel;

(c) Fossil compressed natural gas (fossil CNG), fossil liquefied natural gas (fossil LNG), or fossil liquefied compressed natural gas (fossil L-CNG);

(d) Compressed or liquefied hydrogen (hydrogen);

(e) A fuel blend containing greater than 10 percent ethanol by volume;

(f) A fuel blend containing biomass-based diesel;

(g) Denatured fuel ethanol (E100);

(h) Neat biomass-based diesel (B100 or R100);

(i) Fossil LPG/propane; and

(j) Other liquid or nonliquid transportation fuels as determined by ecology.

(3) **Opt-in fuel.**

(a) Each fuel in (b) of this subsection is presumed to meet the carbon intensity standards (benchmarks) in WAC 173-424-900 Table 1 and 2 for a specific year.

(b) A fuel provider for the following alternative fuels may generate CFP credits for such fuels by electing to opt into the CFP as an opt-in fuel reporting entity under WAC 173-424-140(2) and meeting all applicable requirements of the CFP:

(i) Electricity;

(ii) Bio-CNG;

(iii) Bio-LNG;

(iv) Bio-L-CNG;

(v) Alternative jet fuel; and

(vi) Renewable propane or renewable LPG.

(4) **Annual carbon intensity benchmarks for an alternative fuel intended for use in a single-fuel vehicle.**

(a) Gasoline and gasoline substitutes. A regulated party or credit generator must comply with the benchmarks for gasoline and gasoline substitutes in WAC 173-424-900 Table 1 for alternative fuel intended to be used in a single-fuel light-duty or medium-duty vehicle.

(b) Diesel and diesel substitute. A regulated party or credit generator must comply with the benchmarks for diesel fuel and diesel fuel substitutes in WAC 173-424-900 Table 2 for alternative fuel intended to be used in a single-fuel application other than a single-fuel light-duty or medium-duty vehicle.

(c) Carbon intensity benchmarks for transportation fuels intended for use in multifuel vehicles. Credit and deficit calculations for alternative fuel provided for use in a multifueled vehicle shall be established via:

(i) The benchmarks for gasoline set forth in WAC 173-424-900 Table 1 if one of the fuels used in the multifuel vehicle is gasoline; or

(ii) The benchmarks for diesel fuel set forth in WAC 173-424-900 Table 2 if one of the fuels used in the multifuel vehicle is diesel fuel.

[Statutory Authority: Chapter 70A.535 RCW. WSR 22-24-004 (Order 21-04), § 173-424-120, filed 11/28/22, effective 12/29/22.]