

WAC 173-407-300 Procedures for determining compliance with the emissions performance standard of a long-term financial commitment under Part II.

(1) A baseload generation facility or unit or baseload cogeneration facility or unit in a long-term financial commitment must meet the GHG EPS in WAC 173-407-130 in effect at the time the parties sign the commitment.

(2) A long-term financial commitment must meet the following conditions to comply with the GHG EPS in WAC 173-407-130:

(a) Electricity from unspecified sources is limited to 12 percent of the total electricity in a long-term financial commitment.

(b) Long-term financial commitments with the Bonneville power administration are exempt from meeting the GHG EPS.

(c) For a long-term financial commitment with multiple power plants, each specified power plant named in the long-term financial commitment must individually meet the GHG EPS in WAC 173-407-130 in effect on the date the parties sign the commitment. Ecology deems a power plant named in a long-term financial commitment with multiple power plants meeting the following criteria to be in compliance with the GHG EPS:

(i) A facility or unit powered exclusively by renewable resources;

(ii) A facility or unit that is designed and intended to use a renewable fuel to provide at least 90 percent of its total annual heat input;

(iii) 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 June 30, 2008, unless it has:

(A) Changed ownership; or

(B) Upgraded.

(3) If ecology cannot determine compliance with the GHG EPS for a long-term financial commitment based on the conditions in subsection (2) of this section, ecology must use procedures in WAC 173-407-140 or 173-407-150 to determine compliance with the GHG EPS. All reports required by WAC 173-407-140(2) or 173-407-150(5) must be sent to ecology. An investor-owned electric utility must send another copy of the reports to UTC. A consumer owned electric utility must send another copy of the reports to their governing board.

(4) This rule exempts long-term purchase of coal transition power from meeting the GHG EPS as long as the term of the long-term purchase meets the schedule in RCW 80.80.040 (3)(c).

(5) In determining if a long-term financial commitment complies with the EPS, all unspecified power will have an emission rate of 2,300 lb/MWh.

[Statutory Authority: Chapter 80.80 RCW. WSR 18-05-091 (Order 16-12), § 173-407-300, filed 2/21/18, effective 3/24/18; WSR 08-14-011 (Order 07-11), § 173-407-300, filed 6/19/08, effective 7/20/08.]