



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: March 21, 2018

TIME: 10:39 AM

WSR 18-07-112

Agency: Washington State Department of Commerce

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 17-14-065 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____ ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Chapter 194-26 WAC; Determination of the average greenhouse gas emission output from new, commercially available combined cycle combustion turbines.

Hearing location(s):

Date: **Time:** **Location:** (be specific) **Comment:**

April 25 th , 2018	1pm	Washington State Department of Commerce Columbia Room 1011 Plum Street SE Olympia, WA 98501	
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Date of intended adoption: May 9th, 2018 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Greg Nothstein

Address: PO Box 42525, Olympia WA. 98504-2525

Email: greg.nothstein@commerce.wa.gov

Fax:

Other:

By (date) 5pm, April 25th 2018

Assistance for persons with disabilities:

Contact Carolee Sharp

Phone: 360-725-3118

Fax:

TTY: 360-586-0772

Email: carolee.sharp@commerce.wa.gov

Other:

By (date) April 18, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Update the average greenhouse gas emission output from new, commercially available combined cycle combustion turbines.

Reasons supporting proposal: Updating the average greenhouse gas emission output from new, commercially available combined cycle combustion turbines every five years is required by statute.

Statutory authority for adoption: RCW 80.80.050.

Statute being implemented: RCW 80.80.040, RCW 80.80.050

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Washington State Department of Commerce Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Greg Nothstein	1011 Plum St. SE, Olympia WA, 98501	360-725-3112
Implementation:	Greg Nothstein	1011 Plum St. SE, Olympia WA, 98501	360-725-3112
Enforcement:	Greg Nothstein	1011 Plum St. SE, Olympia WA, 98501	360-725-3112

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: Commerce is not an agency listed in RCW 34.05.328 as one to which that statute applies.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description: .

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary: RCW 80.80.050 requires Commerce to update the average greenhouse gas emission output from new, commercially available combined cycle combustion turbines every five years

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: March 21, 2018

Name: Jaime Rossman

Title: Rules Coordinator

Signature: