

**SHB 2957 - H AMD 2110**

By Representative Walsh

1           On page 14, line 21, after "(4)" insert "The authority of the  
2 department under RCW 70.94.331(2)(c) to regulate greenhouse gas  
3 emissions of persons who produce or distribute fossil fuels does not  
4 extend to a fuel used by a stationary source if a rule adopted by the  
5 department would be likely to result in lost jobs or lower wages at  
6 the stationary source. Any regulation of a fuel used by a stationary  
7 source must provide an opportunity for the regulated entity to  
8 petition for a waiver on the basis that jobs or wages are put at risk  
9 by the regulation. Following such a petition, the burden of proof is  
10 on the department to show by clear and convincing evidence that its  
11 rule is not likely to result in lost jobs or lower wages at the  
12 stationary source. The department must grant a waiver to a stationary  
13 source that the department does not show by clear and convincing  
14 evidence is not likely to lose jobs or lower wages as a result of the  
15 regulation.

16           (5) "

17           Correct any internal references accordingly.

EFFECT: Limits the authority of the Department of Ecology to regulate greenhouse gas emissions of fuel used by stationary sources under the Clean Air Act if regulation would result in lost jobs or lower wages at the stationary source. Requires the Department of Ecology to provide an opportunity for a waiver application under any greenhouse gas rules that results in the granting of a waiver to a stationary source unless the Department of Ecology shows by clear and convincing evidence that the regulation will not result in a loss of jobs or lower wages at a stationary source.

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