
**Rural Development, Agriculture, &
Natural Resources Committee**

HB 2652

Brief Description: Concerning renewable ammonia.

Sponsors: Representatives Doglio, Ramel, Fitzgibbon, Shewmake, Blake and Santos.

Brief Summary of Bill

- Directs the Director of the Washington State Department of Agriculture (WSDA) to adopt rules to implement a certification program for the production of renewable ammonia.
- Defines "renewable ammonia" as ammonia that is produced using only renewable resources for both source material and for process energy.
- Prohibits any person from selling or processing any ammonia product with a "renewable ammonia", "sustainable ammonia" or "green ammonia" label unless the person has been certified by the WSDA.

Hearing Date: 1/24/20

Staff: Robert Hatfield (786-7117).

Background:

Ammonia is used around the world in fertilizer production, as well as in cleaning products and in pharmaceutical products. One molecule of ammonia consists of one nitrogen atom and three hydrogen atoms. It is produced naturally by certain metabolic processes, and is also produced synthetically. The most common process for the synthetic production of ammonia is known as the Haber-Bosch process, in which hydrogen and nitrogen are combined in a high-heat, high-pressure reaction. The most common source for nitrogen in ammonia production is the air, which is 80% nitrogen. The most common source for hydrogen in ammonia production is natural gas.

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.

Summary of Bill:

Renewable Ammonia Certification Program.

To be labeled, sold, or represented as "renewable ammonia" in Washington, a product must be produced under the standards established in the act and in rules adopted by the Washington State Department of Agriculture (WSDA). It is unlawful for any person to sell, offer for sale, or process any ammonia product in Washington with a "renewable ammonia", "green ammonia", or "sustainable ammonia" label unless that person is certified by the WSDA. A manufacturer or processor may not represent, sell, or offer for sale any ammonia with the representation that the product is "renewable ammonia", "green ammonia", or "sustainable ammonia" if the manufacturer or processor knows or has reason to know that the product has not been produced, processed, or handled in accordance with the standards established in the act and in rules adopted by the WSDA.

Authority of Washington State Department of Agriculture.

The Director of the WSDA (Director) must adopt such rules as are necessary to implement the renewable ammonia certification program.

The Director must issue cease and desist orders to manufacturers and processors who violate the production and labeling standards of the renewable ammonia certification program. When the Director finds that a manufacturer or processor has committed a violation, the Director must impose a civil fine that does not exceed the total of the State's costs of investigation and enforcement, plus \$1000. The Director may deny, suspend, or revoke a renewable ammonia certification if the Director determines that the applicant, manufacturer, or processor has violated the provisions of the renewable ammonia certification program.

The WSDA is authorized to take such actions as are necessary to carry out the renewable ammonia certification program.

Definitions.

"Renewable ammonia" is defined as ammonia that is produced using only renewable resources for both source material and for process energy. "Green ammonia" and "sustainable ammonia" have the same meaning as "renewable ammonia".

"Renewable resource" includes, among other things, water, air, wind, solar energy, renewable hydrogen, and hydroelectric power.

"Manufacturer" means a person that produces renewable ammonia.

"Processor" means a person that makes a product that includes renewable ammonia as one of its ingredients.

Confidentiality of Information.

The WSDA must keep confidential any business-related information obtained under the renewable ammonia certification program concerning an entity certified or seeking certification under the renewable ammonia certification program, except that applications for certification must be available for public inspection and copying. All records that relate to any business-related information obtained by the WSDA under the renewable ammonia certification program

concerning an entity certified or seeking certification under the renewable ammonia certification program are exempt from disclosure under the Public Records Act.

Appropriation: None.

Fiscal Note: Available.

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