

WAC 173-407-200 Requirements for and timing of sequestration plan or sequestration program submittals under Part II. (1) The owner or operator of a facility or unit that does not meet the applicable EPS in WAC 173-407-130 must submit a sequestration plan to ecology when they propose to begin sequestration after the start of commercial operation and engage in an action listed in (a) through (d) of this subsection:

(a) The owner or operator of a new facility or unit submits a notice of construction application to the permitting authority;

(b) The owner or operator of an existing facility or unit submits a notice of construction application to the permitting authority for an upgrade and the upgrade is not exempt;

(c) The owner or operator of a facility or unit signs a new long-term financial commitment with an electric utility to provide baseload power and the facility or unit does not comply with the GHG EPS in effect at the time the new long-term financial commitment occurs; or

(d) A qualifying new ownership interest occurs and the facility or unit does not comply with the GHG EPS in effect at that time.

(2) The owner or operator of a facility or unit that does not meet the applicable GHG EPS in WAC 173-407-130 must submit a sequestration program to ecology when they propose to begin sequestration on or before the start of commercial operation and engage in an action listed in the following subsections:

(a) The owner or operator of a new facility or unit submits a notice of construction application to the permitting authority;

(b) The owner or operator of an existing facility or unit submits a notice of construction application to the permitting authority for an upgrade and the upgrade is not an exempt upgrade;

(c) The owner or operator of a facility or unit signs a new long-term financial commitment with an electric utility to provide baseload power if the facility or unit does not comply with the GHG EPS in effect at the time the new long-term financial commitment occurs; or

(d) A qualifying new ownership interest occurs and the facility or unit does not comply with the GHG EPS in effect at that time.

[Statutory Authority: Chapter 80.80 RCW. WSR 18-05-091 (Order 16-12), § 173-407-200, filed 2/21/18, effective 3/24/18; WSR 08-14-011 (Order 07-11), § 173-407-200, filed 6/19/08, effective 7/20/08.]