

WAC 173-442-150 Criteria for activities and programs generating emission reduction units. (1) General criteria. An activity or program generating ERUs must meet all of the following criteria. Emission reductions from activities or programs must be:

- (a) Real, specific, identifiable, and quantifiable;
- (b) Permanent: The activity or program must result in an irrevocable and nonreversible reduction in GHGs released to the atmosphere;
- (c) Enforceable by the state of Washington;
- (d) Verifiable as described by WAC 173-442-210; and
- (e) Additional to existing law or rule, and any supplementary requirements necessary to meet the conditions of WAC 173-442-160 (2)(a).

(i) If an emission reduction is required by another statute, rule, or other legal requirement, the emission reduction cannot be used in this program.

(ii) Emission reductions resulting in part or in whole from the policies below can be used to comply with the requirements of this chapter:

(A) The EPA Clean Power Plan (40 C.F.R. Part 60, Subpart UUUU) consistent with WAC 173-442-040(4).

(B) Washington's GHG emission performance standard (RCW 80.80.040);

(C) Washington's CO₂ mitigation standard for fossil-fueled thermal electric generation facilities (through an energy facility site evaluation council site certificate or by chapter 80.70 RCW); emission reductions must result from mitigation projects, as defined in RCW 80.70.010; or

(D) Commute trip reduction programs as established through RCW 70.94.527 per WAC 173-442-160(3).

(2) RCW 70.235.030(3) establishes that CO₂ emissions from the industrial combustion of biomass in the form of fuel wood, wood waste, wood by-products, and wood residuals are carbon neutral and result in zero CO₂ emissions.

[Statutory Authority: Chapters 70.94, 70.235 RCW. WSR 16-19-047 (Order 15-10), § 173-442-150, filed 9/15/16, effective 10/16/16.]