

WAC 173-424-210 Fuel reporting entities for gaseous fuels. (1) **Applicability.** This section applies to providers of both fossil and bio-based compressed natural gas, liquefied natural gas, liquefied compressed natural gas, and liquefied petroleum gas (or propane), and hydrogen used as transportation fuels in Washington.

(2) **Designation of first fuel reporting entities for gaseous fuels.** The first fuel reporting entity for different gaseous fuels is identified below:

(a) Bio-CNG. For bio-CNG, including the bio-CNG portion of a blend with fossil CNG, the first fuel reporting entity is the producer or importer of the biomethane.

(b) Bio-LNG and bio-L-CNG. For bio-LNG and bio-L-CNG, including the biomethane portion of any blend with fossil LNG and L-CNG, the first fuel reporting entity is the producer or importer of the biomethane.

(c) Renewable propane. For renewable propane, including the renewable propane portion of a blend with fossil propane, the first fuel reporting entity is the producer or importer of the renewable propane.

(d) Fossil CNG, LNG, L-CNG and propane.

(i) For fossil CNG, LNG, L-CNG, and propane, including the fossil portion of any blend with a renewable fuel component, the first fuel reporting entity is the entity that owns the fueling equipment through which the fossil fuel is dispensed to motor vehicles for transportation use.

(ii) Forklift: The first fuel reporting entity for fossil propane used in forklifts is the forklift fleet owner.

(e) Hydrogen.

(i) Motor vehicles. The first fuel reporting entity for fossil based hydrogen is the entity that owns the fueling supply equipment through which hydrogen fuel is dispensed to motor vehicles for transportation use.

(ii) Forklift. The first fuel reporting entity for fossil based hydrogen used in fuel cell forklifts is the forklift fleet owner.

(iii) Renewable hydrogen. For renewable hydrogen, including the renewable portion of any blend with fossil hydrogen, the first fuel reporting entity is the producer or importer of the renewable hydrogen.

(3) **Designating another entity as fuel reporting entity.** An entity may elect not to be the first fuel reporting entity for a given gaseous fuel, provided that another entity has contractually agreed to be the fuel reporting entity for the fuel on its behalf. In such cases, the two entities must agree by written contract that:

(a) The original first fuel reporting entity will not generate credits or deficits in the CFP under subsection (2)(a) through (e) of this section. Instead, the original first reporting entity will provide the amount of fuel dispensed, and other required information, to the contractually designated entity for the purpose of CFP reporting, and credit or deficit generation.

(b) The contractually designated entity accepts all CFP responsibilities as the first fuel reporting entity, and as a credit or deficit generator, as applicable.

[Statutory Authority: Chapter 70A.535 RCW. WSR 22-24-004 (Order 21-04), § 173-424-210, filed 11/28/22, effective 12/29/22.]