WAC 173-485-040  Greenhouse gas reasonably available control
technology emission standard.  (1) Energy efficiency standard. The
owner/operator of each petroleum refinery subject to this rule shall
meet the requirement to use reasonably available control technology
(RACT) for greenhouse gas emissions by demonstrating the petroleum re-
finery has a calculated EII® equal to or more efficient than the EII®
value representing the fiftieth percentile EII® of similar sized Uni-
ted States refineries, based on 2006 data and the EPA EnergyStar® cal-
culation methodology. The petroleum refinery must demonstrate compli-
ance with WAC 173-485-050 in the annual report required in WAC
173-485-090 using any EII® report issued between 2006 and the first
annual report. If a petroleum refinery is unable to or chooses not to
demonstrate compliance with the energy efficiency standard in the
first annual report required in WAC 173-485-090, the petroleum refin-
ery shall document that it has met the requirements of subsection (2)
of this section no later than October 1, 2025.

(2) Emission reduction requirement. A petroleum refinery that
does not meet the requirements of subsection (1) of this section, must:

(a) No later than October 1, 2025, have implemented greenhouse
gas reduction projects that:
   (i) Result in cumulative annual emissions reduction(s) equivalent
to ten percent of the facility's baseline greenhouse gas emissions (as
   CO₂e); or
   (ii) Result in the petroleum refinery meeting the energy effi-
   ciency standard in subsection (1) of this section.
(b) Demonstrate compliance with the emission reduction require-
ment in WAC 173-485-060.

[Statutory Authority: Chapter 70.94 RCW. WSR 14-12-038 (Order 13-03),
§ 173-485-040, filed 5/28/14, effective 6/28/14.]