

Utilities and Transportation Commission Semi-annual Rules Development Agenda (January 1, 2021 – July 31, 2021)

This report is the Utilities and Transportation Commission's semi-annual report rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

Additional rulemaking activity not on the agenda may be undertaken to meet conditions not now anticipated.

Dates that are in "bold" print, indicate that filing has occurred. All other dates are projected. The Commission maintains a schedule of rulemaking activity that is updated several times per month. See www.utc.wa.gov.

WAC CHAPTER	DOCKET	TITLE	AGENCY CONTACT	PROPOSED TIMELINE & STATUS			DESCRIPTION OF POSSIBLE CHANGES
				CR-101	CR-102 or CR-105	CR-103 HEARING	
CURRENT:							
WAC 480-30	TC-190898	Flexible Fares Rulemaking	Ann LaRue (360) 664-1245	11/6/19	To be determined	To be determined	Consider revising WAC 480-30 to allow flexibility in setting rates and promote competition in the auto transportation industry.
WAC 480-62	TR-200536	HB1841 Rulemaking	Betty Young (360) 664-1202	7/21/22	To be determined	To be determined	Revise WAC 480-62 to implement HB 1841

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 or HEARING	
PROPOSED:						
WAC 480-100-238	Old IRP Rule Permanent Repeal (Expedited)	Paige Doyle (360) 664-1140		1/15/221	To be determined	Permanently repeal WAC 480-100-238 which was repealed by emergency rulemaking.
WAC 480-100-600	Cumulative Impact Analysis Rulemaking	Kendra White (360) 701-5363	To be determined	To be determined	To be determined	The Cumulative Impact Analysis Rulemaking will incorporate Department of Health's new analysis on climate change impacts and fossil fuel impacts into Commission rules implementing the Clean Energy Transformation Act.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 or HEARING	
WAC 480-100-600	Carbon and Electricity Markets Rulemaking	Brad Cebulko (360) 664-1309	To be determined	To be determined	To be determined	This rulemaking will define the requirements for using markets purchases to meet the standards of RCW 19.405.030, 040, and 050, and to address to prohibition on double counting of nonpower attributes under RCW 19.405.040 with other programs. The Commission may also consider the interpretation of the term “use” in RCW 19.405.040(1)(a)(ii) and the reporting requirements for compliance with RCW 19.405.030.

**Energy Facility Site Evaluation Council
Semi-annual Rules Development Agenda
(Jan 1, 2021 – July 31, 2021)**

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE & STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
CURRENT:						
WAC 463-76	NPDES Compliance	Sonia Bumpus (360) 664-1363	7/26/17	To be determined	To be determined	Adopt Ecology water quality rules and additional revisions to ensure consistency with EFSEC statutory authorities, Ecology rules, and federal regulations to support EPA's renewal of EFSEC's NPDES Delegation.
PROPOSED:						
Title 463 WAC	Administrative Updates	Sonia Bumpus (360) 664-1363		(CR-105) To be determined	To be determined	Amend multiple chapters of Title 463 WAC to reflect EFSEC's administrative incorporation into UTC, such as EFSEC's street address, and other changes specifically dictated by statutory revisions.
Title 463 WAC	Process Updates	Sonia Bumpus (360) 664-1363	To be determined	To be determined	To be determined	Inquiry to examine whether EFSEC should adopt new or modify existing rules to address process changes related to siting and compliance monitoring.
WAC 463-76	Enforcement and Appeals	Sonia Bumpus (360) 664-1363	To be determined	To be determined	To be determined	Creates a new chapter of rules and amends multiple chapters of Title 463 to incorporate statutory changes made in 2015 (SB 5310), and to clarify EFSEC's enforcement and appeals process.

WAC CHAPTER	TITLE	AGENCY CONTACT	PROPOSED TIMELINE & STATUS			DESCRIPTION OF POSSIBLE CHANGES
			CR-101	CR-102 or CR-105	CR-103 HEARING	
WAC 463-78	Air Quality Permitting	Sonia Bumpus (360) 664-1363	To be determined	To be determined	To be determined	Amend existing rule: 1. In response to EPA rule revisions in 40 CFR Parts 51, 52, including startup, shutdown and malfunction, as necessary. 2. To be consistent with Department of Ecology rule revisions addressing new source review and additional prevention of significant deterioration issues in Chapters 173-400 and 173-401 WAC including applicable provisions of the Governor's proposed Clean Air Rule, as necessary. 3. To support submittal of EFSEC's state implementation plan (SIP) update to U.S. EPA.