



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000*

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Pat D. McLaughlin  
King County Solid Waste Division  
King County Solid Waste Cedar Hills Landfill  
16645 228th Ave SE  
Maple Valley, WA 98038

RE: Order Docket No. 15513  
Clean Air Rule Baseline Establishment Order

Dear Pat D. McLaughlin,

Attached is the Clean Air Rule Baseline Establishment Order for King County Solid Waste Cedar Hills Landfill. You are receiving this order because the reported covered emissions of greenhouse gas (GHG) from your operations covered by the Clean Air Rule during the reporting years 2012-2016 were greater than 70,000 metric tons of carbon dioxide equivalent (CO<sub>2e</sub>) per year.

This order includes your emissions reduction requirements and other compliance, recordkeeping, and reporting requirements that you must follow.

You have the right to appeal this order. The requirements to file an appeal are contained in Condition 20 of the order.

If you have any questions about this order, please contact me by phone at (360) 407-7624 or email at [ben.blank@ecy.wa.gov](mailto:ben.blank@ecy.wa.gov). You may also contact Chris Conn by phone at (360) 407-6519 or email at [chris.conn@ecy.wa.gov](mailto:chris.conn@ecy.wa.gov).

Sincerely,

Ben Blank  
Climate Policy Section Manager  
Air Quality Program  
State of Washington Department of Ecology

CC: Puget Sound Clean Air Agency



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CLEAN AIR RULE BASELINE ESTABLISHMENT ORDER

Issued To:	15513
King County Solid Waste Division	Date Order issued
King County Solid Waste Cedar Hills Landfill	December 18, 2017
16645 228th Ave SE	
Maple Valley, WA 98038	Date(s) Order Revised
	N/A
Regulatory Order Number:	

This Clean Air Rule Baseline Establishment Order is issued under the authority of the:

- Washington State Clean Air Act, Chapter 70.94 Revised Code of Washington.
- Washington State Department of Ecology regulations for the Reporting of Emissions of Greenhouse Gases as set forth in Chapter 173-441, Washington Administrative Code
- Washington State Department of Ecology regulations for the Clean Air Rule as set forth in Chapter 173-442, Washington Administrative Code.

REVIEWED BY:

/s/ Christopher Conn  
Christopher Conn, P.E.  
Industrial Engineering Specialist  
chris.conn@ecy.wa.gov, (360) 407-6519

Date: December 18, 2017

APPROVED BY:

/s/ Ben Blank  
Ben Blank  
Climate Policy Section Manager  
ben.blank@ecy.wa.gov, (360) 407-7624

Date: December 18, 2017

Order No. 15513  
Issued: December 18, 2017

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## Findings

- A. King County Solid Waste Division operates King County Solid Waste Cedar Hills Landfill, a municipal landfill in the state of Washington and is a covered party as defined in Washington Administrative Code (WAC) 173-442-020.
- B. The covered party is subject to the greenhouse gas (GHG) emissions reporting requirements of WAC Chapter 173-441.
- C. During the period of 2012-2016 King County Solid Waste Cedar Hills Landfill had reported annual GHG emissions that averaged above 70,000 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). The covered party is therefore subject to the requirements of WAC Chapter 173-442.
- D. The covered party does not meet the criteria in WAC 173-442-020 to be defined as an energy intensive and trade exposed (EITE) covered party.

## Baseline Emissions

1. Ecology has determined the baseline emissions for King County Solid Waste Cedar Hills Landfill are 74,178 metric tons CO<sub>2</sub>e/year. The calculations of the baseline emissions are described in the support documentation for this order.

## Emission Reduction Requirement

2. The GHG emissions from King County Solid Waste Cedar Hills Landfill must be limited to the baseline emissions in the first year of the first compliance period.
3. The GHG emissions from King County Solid Waste Cedar Hills Landfill must be limited to a reduction from the baseline emissions of an average reduction rate of 1.7% per year starting in the second year of the first compliance period.
4. The reduction rate for King County Solid Waste Cedar Hills Landfill, starting in the second year of the first compliance period is 1,261 MT CO<sub>2</sub>e/year.
5. If King County Solid Waste Cedar Hills Landfill emissions remain unchanged, your first compliance period will be the compliance period that begins in 2035. See WAC 173-442-030.
6. King County Solid Waste Cedar Hills Landfill's emissions reduction requirements and this Order will be revised as soon as King County Solid Waste Cedar Hills Landfill's three year rolling average emissions in a given year are greater than the compliance threshold in WAC 173-442-030 in effect for that year.

## Demonstrating Compliance

7. The compliance obligations are calculated per the methods defined in WAC 173-442-200.
8. Covered parties must demonstrate compliance by submitting:
  - a. Actual emission reductions as exhibited in annual GHG reporting data as defined in WAC chapter 173-441 by required date as defined in WAC 173-441-050;

- b. Banked Emission Reduction Units (ERUs) as defined in WAC 173-442-120 by required date as defined in WAC 173-442-250; or
  - c. A combination of (a) and (b) of this subsection that achieves a level meeting the compliance obligation.
9. Covered parties must document compliance consistent with the requirements in WAC 173-442-210.

## Recordkeeping

10. Covered parties must monitor emissions and other parameters as required in WAC 173-441-050 and in methodologies adopted by reference in WAC 173-441-120.
11. Emissions data, evidence of emissions reductions, and ERU records must be retained per the requirements in WAC 173-441 and WAC 173-442.
12. Monitoring and recordkeeping data required to complete the emission reports and compliance reports required by WAC 173-441 and WAC 173-442 must be available for inspection by ecology inspectors and authorized third party verifiers consistent with the requirements in WAC 173-441-050.

## Third-Party Verification

13. Annual emissions reports are subject to the third-party verification processes in WAC 174-441-085.
14. Compliance reports are subject to third-party verification requirements of WAC 173-442-220.
15. Projects used to generate ERUs must meet the requirements contained within WAC 173-442-160. Projects must meet the third-party verification requirements in WAC 173-442-220.

## General Conditions

### 16. Right of Entry

Chapter 70.94, Revised Code of Washington, and WAC 173-400-105(3) provide authorized representatives of Ecology certain rights to enter and inspect the source. Refusal by the covered party to allow such entry and inspection may be a violation of state law subject to penalty as provided in the statute. Pursuant to this statute, authorized representatives of Ecology, upon the presentation of credentials:

- A. Have a right of entry to, upon, or through any premises of the covered party or any premises in which any records required by the covered party to maintain are located.
- B. Have the right, during normal business hours, to access and copy any records the covered party is required to maintain.
- C. Have the right, at reasonable times, to inspect any monitoring equipment or method required by the covered party to determine emissions and compliance.

D. Have the right, at reasonable times, to sample any emissions that the covered party is required to sample to determine greenhouse gasses emitted by the covered party.

17. Revisions to this Order

This order may be revised on request of the covered party. The request must be in writing and provide a full explanation of what revision is requested, any and all necessary calculations to support the request, the provision of WAC 173-442 or WAC 173-441 that allows for the change, and the covered party's interpretation of the effects of the change on the covered party's baseline emissions and emission reduction requirement.

This order may be revised by Ecology based on findings in verification reports, changes to emissions calculation methodologies, correction of errors, or assigned emissions levels per WAC 173-441-086.

If Ecology agrees with the covered party or determines that a revision is required, Ecology will issue a revised Order.

18. Transfer of Ownership

A. In the event of any changes in control or ownership of the covered party or facility, the requirements of this Order will be binding on all subsequent owners and operators. The covered party must notify the succeeding owner and operator of the existence of this Order and its conditions by letter. A copy of the letter must be forwarded to Ecology at the same time it is sent to the succeeding owner or operator.

B. If this order has been incorporated into an Air Operating Permit issued pursuant to chapter WAC 173-401, the provisions for amending that Air Operating Permit to change ownership or operational control shall apply in place of the notification provisions above.

C. The new owner of the covered party or facility must update its certificate of representation required by WAC 173-441 to reflect the new ownership of the covered party or facility and establish new designated representatives in conjunction with the new ownership.

19. Correspondence

A. Mailing Address:  
Clean Air Rule, Air Quality Program  
Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

B. Electronic Correspondence and E-Mail:  
car@ecy.wa.gov

Order No. 15513  
Issued: December 18, 2017

## Right to Appeal this Order

20. You have the right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

### ADDRESS AND LOCATION INFORMATION

#### Street Addresses:

**Department of Ecology**  
Attn: Appeals Processing Desk  
300 Desmond Drive SE  
Lacey, WA 98503

**Pollution Control Hearing Board**  
111 Israel RD SW  
STE 301  
Tumwater, WA 98501

#### Mailing Addresses:

**Department of Ecology**  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

**Pollution Control Hearing Board**  
PO Box 40903  
Olympia, WA 98504-090

## Baseline Establishment Order Support Document

The purpose of this document is to explain how the baseline emission and reduction requirements have been established for King County Solid Waste Cedar Hills Landfill.

### Facility Information

King County Solid Waste Cedar Hills Landfill, is a municipal landfill located in Maple Valley, WA.

Primary North American Industry Classification System (NAICS) Code: 562212

### Determination of Greenhouse Gas (GHG) Baseline Emissions

The baseline emissions for this facility were collected through GHG emissions data reported to Ecology as required by Washington Administrative Code (WAC) Chapter 173-441 for the reporting years 2012-2016. Emissions data is reported in metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e).

The following table lists the covered greenhouse gas emissions reported to Ecology for the King County Solid Waste Cedar Hills Landfill facility for calendar years 2012-2016.

Table 1: Baseline Emissions

Year	Covered GHG Emissions, MT CO <sub>2</sub> e	Adjusted by Ecology (Y/N)	Used to calculate Baseline (Y/N)
2012	83,410	Yes	Yes
2013	65,974	Yes	Yes
2014	69,056	Yes	Yes
2015	74,823	Yes	Yes
2016	77,624	No	Yes
Baseline	74,178		

Ecology adjusted or did not use the indicated year(s) to determine the baseline emissions for this facility.

Emissions for 2012-2015 were assigned to provide methodology consistency with 2016 data. Prior to 2016, King County Solid Waste - Cedar Hills Regional Landfill was allowed the option to choose a different overall methane emissions that were a result of calculations from Chapter 40, Code of the Federal Registry (CFR) Part 98, Subpart HH. The default emissions assignment was the higher of the calculated emissions from equations HH-6 or HH-8, with a choice left to the facility based on site-specific circumstances.

The emissions calculation differences were based on different emissions models within 40 CFR Part 98 Subpart HH. King County Solid Waste - Cedar Hills Regional Landfill selected results from equation HH-6 in the 2012-2015 reporting years. A 2016 update to the regulation mandated that the higher of the two emissions calculations should be used. The change resulted in a significantly higher emissions level (greater than 5% difference) in 2016 compared to the 2012-2015 reporting years. For consistency in methodology with 40 CFR Part 98, Subpart HH,

the emissions results from subpart HH calculations in all years now use the results from equation HH-8 to determine Clean Air Rule subjected emissions.

The baseline emissions are defined as the average reported GHG emissions from the baseline period that have not been excluded per WAC 173-442-040. Ecology has determined the baseline CO<sub>2e</sub> emissions for King County Solid Waste Cedar Hills Landfill to be 74,178 MT CO<sub>2e</sub>.

Because baseline emissions are greater than 70,000 MT CO<sub>2e</sub>, the facility is subject to the provisions of WAC Chapter 173-442 (Clean Air Rule).

### Emissions Limits and Emissions Reduction Pathway

The emissions reduction pathway is based on the requirements in WAC 173-442-060. Table 2 shows the annual emissions reductions pathway for King County Solid Waste Cedar Hills Landfill and Table 3 shows the three year total emissions allowed in each compliance period, assuming King County Solid Waste Cedar Hills Landfill's emissions are unchanged. The emissions limits for King County Solid Waste Cedar Hills Landfill decrease at an annual rate of 1.7% per year beginning in the second year of the first compliance period as shown in Table 2.

Table 2: Emission Reduction Pathway

Calendar Year	Calculated Annual Emissions Limit (MT CO <sub>2e</sub> )
2035 (and all subsequent years)	74,178

Compliance periods are three year periods at the end of which the covered party must demonstrate that it met its GHG emissions reduction requirement. The emissions reduction requirement is the total emissions allowed over a three year compliance period. The emissions limit is the sum of the calculated annual emissions limits over a compliance period. King County Solid Waste Cedar Hills Landfill's compliance period maximum allowable emissions are shown in Table 3. Compliance may be demonstrated by actual emissions reductions or by retiring emission reduction units (ERUs).

Table 3: Emission Reduction Requirement

Compliance Period (Calendar Years)	Three Year Total Emissions Limit (MT CO <sub>2e</sub> )
2035-2037 and every three years thereafter	222,533