



November 16, 2021

Rachel Assink
Department of Ecology
Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

RE: Comments on Proposed Rulemaking for Reporting of Greenhouse Gases.

Dear Ms. Assink:

Thank you for reviewing our comments about Washington Department of Ecology's proposed update to the rule for reporting greenhouse gasses.

As you may know, WaferTech is a semiconductor manufacturer based in Camas, WA. We are a wholly owned subsidiary of Taiwan Semiconductor Manufacturing Company (TSMC). As the leading for-hire semiconductor manufacturer, TSMC takes its corporate social responsibility seriously. We voluntarily participate in the best practices as defined by the World Semiconductor Council for PFC Emission Reduction. Our environmental management system has been certified to ISO 14001 since 2001 and we have been validated to ISO 14064 to quantify, monitor, report, and verify greenhouse gas emissions since 2011.

We believe that climate change is an important issue and are attempting to do our part to help solve this problem. With this in mind, we have the following comments regarding the proposed update to Chapter 173-441 of the Washington Administrative Code.

- 1) **WAC 173-441-050 Table 050-1: Total Annual Facility Product Data Requirements by Primary NAICS Code.** Currently, Washington Department of Ecology uses square meters of wafer produced as a production metric. Innovation and advances in semiconductor manufacturing have significantly increased the number of transistors per square meter and will continue to do so. This increasing complexity has required an increased number of mask layers per wafer, which leads to an increase in the process steps that require F-GHGs. The current production metric does not adequately capture these production increases. We request that square meters of mask layer be used for the production metric for device manufacturing at semiconductor manufacturing facilities to better reflect our production.

*5509 N. W. Parker Street
Camas, WA 98607-9299
Tel. (360) 817-3000 Fax. (360) 817-3590
www.wafertech.com*

- 2) **WAC 173-441-085 Third-party verification.** Washington State Department of Ecology's proposed rule extends annual third-party verification requirements to all facilities that emit 25,000 metric tons CO₂e or more. The proposed rule will require the verifiers to register with Ecology and maintain active accreditation to California's ARB's MRR program. The semiconductor industry is part of the global supply chain and the industries we support require ISO 14064 verification. WaferTech is already required by our parent company, TSMC, to verify our GHG inventory report and management plan annually to the ISO 14064 standard. It would be burdensome to perform a redundant verification. While we hope that Ecology would accept ISO 14064 accreditation without registering in Washington, we would request that ISO 14064 accredited verifiers be allowed to be registered in Washington without the need for California accreditation.
- 3) **WAC 173-441-085 Third-party verification.** The proposed rule will prohibit the same GHG verifier from being used for a period of more than 6 years. Registrars will already routinely be certified to verify GHG emission reports and owner/operators must certify that there is not a conflict of interest in the verification of the reports. More so, semiconductor processes are highly complex and finding and vetting qualified third-party verifiers that are knowledgeable of our procedures requires time, resources and shrinks the limited pool of registered verifiers. Please consider whether the 6 year change is necessary as there is a cost impact and auditor registration every 3 years should capture any potential issues.

Thank you for addressing our comments. Please contact me if there are any follow-up questions.

Sincerely,



Sally Hurst
Manager, Environmental Health and Safety
WaferTech, LLC
5509 NW Parker St.
Camas, WA 98607
360-817-3034
shurst@wafertech.com