



July 15, 2022

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

RE: Comments on Proposed Rulemaking for the Climate Commitment Act Program.

Dear Mr. Grice:

Thank you for giving us the opportunity to comment on Washington Department of Ecology's proposed Climate Commitment Act Program Rule.

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 world's leading foundry semiconductor manufacturer, TSMC and all of its subsidiaries take 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.

WaferTech strongly believes that climate change is an important societal issue and are attempting to do our part to help. With this in mind, we have the following comments regarding the proposed rule 173-446 of the Washington Administrative Code.

- 1.) **WAC 173-446-220 (1)(b)(v)(D)** allows Ecology to adjust EITE facilities' allocation baselines prior to the beginning of a new compliance period based on changes in reporting methods. The US EPA has proposed rule changes to 40 CFR Part 98 which will impact many facilities' reported Greenhouse Gas emissions for 2022. These changes to the GHG reporting rules will need to be accounted for when determining a facility's carbon-intensity baseline and allowance allocation for 2024. Future changes to 40 CFR Part 98 will also impact a facility's reported GHG emissions. WaferTech suggests that Ecology put in specific language to show

facilities and the public how changes to 40 CFR Part 98 will be accounted for when determining and updating an EITE facility's allocation baseline.

- 2.) **WAC 173-446-260 (4)** states that by October 24th of 2023, and by October 24th of each year thereafter, Ecology will make an initial distribution of no cost allowances to intensity-based EITE facilities. WaferTech requests that initial distribution of no cost allowances be provided earlier, to the extent possible, to allow for budgeting and planning. Budgets are set by September for many businesses.
- 3.) **WAC 173-446-260 (5)** states that final reconciliation of allowances will be made by October 24th each year for the prior year. **WAC 173-446-400 (3)** requires compliance obligations be met by November 1st each year for the prior year. This appears to only allow one week for facilities to reconcile any changes made for the no-cost allowances and any additional allowances required to become compliant. For example, in the year following a compliance period, Ecology could issue fewer no-cost allowances to an EITE facility which could require the facility to move additional compliance instruments within 7 days. WaferTech suggests that dates be adjusted to allow more time between these events.

Thank you for your consideration. Please contact me if there are any follow-up questions.

Sincerely,



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