WA PUD Association (Travis Nelson)

We are writing to express concerns regarding the preliminary draft rule language of Chapter 173-448 WAC. While we recognize the importance of improving air quality in overburdened communities, even more important is an electric system that households can rely upon. The draft rule language creates a systemic conflict with Washington's obligation to provide a reliable and adequate power supply. Specifically, the proposed constraints on the operation of "firm" generation resources will increase the likelihood of regional blackouts during extreme weather events which risk the health and welfare of citizens.

WPUDA urges the Department to incorporate flexibility for firm dispatchable resources, such as natural gas with carbon capture that can ensure our air quality targets do not come at the cost of grid stability.

The Looming Energy Crisis

Washington is facing an unprecedented energy challenge. The region is projected to have a shortfall of up to 8,700 MW (8.7 GW) of effective capacity by 2030—a gap roughly equal to the entire current power load of the state of Oregon. This is not a gradual increase; electricity demand is climbing by nearly 3% per year, driven by population growth, the state-mandated electrification of transportation and buildings and new investments in energy-intensive data centers.

The Reliability Gap of Renewables

The timing of this rulemaking is particularly risky because unprecedented load growth, combined with the state's energy strategy that seeks to achieve decarbonization through increased electrification of transportation and buildings, as we transition to a 100% clean energy grid, this has resulted in a more vulnerable grid particularly during times of peak usage in extreme weather. During the multi-day winter cold snaps that pose the highest risk to the Northwest, onshore wind and utility solar provide only 10–18% of their nameplate capacity during these "critical" periods, respectively. Furthermore, short-duration batteries are largely ineffective during extended freezes, contributing only 3–6% of their nameplate capacity.

Additionally, regional transmission, and especially cross-cascades transmission, operates at and sometimes above its rated capacity in these events.1 Because these weather-dependent resources cannot guarantee energy during critical periods, the region remains heavily reliant on locally sourced natural gas generation, which operates at a 97% Effective Load-Carrying Capacity

Siting Constraints and Operational Restrictions

Generation siting is restricted by the physical need for proximity to gas pipelines and high-voltage powerlines. These industrial corridors often overlap with the "Identified Communities" targeted by this rule. Under the draft language, "High Priority Significant Emitters" in these areas will be subject to enforceable orders and mandatory emission reductions—starting at 3% in 2030 and increasing to 6% by 2036. These mandates may force operational changes that limit the ability of these plants to run at full capacity exactly when the grid is most stressed.

Unintended Consequences for Communities and the Environment

If this rulemaking further restricts the development or operation of firm resources, the state risks a "reliability crisis." The Northwest Power and Conservation Council has warned that if projected load growth continues at current trajectories, the risk of annual blackouts increases significantly.

At a local level, individuals experiencing extended power outages will resort to all manners of actions for warmth and electricity, some of which pose real and direct health risks. Many will unknowingly operate equipment that emits carbon monoxide for electricity and heating in confined spaces that increases risk for carbon monoxide exposure.

WASHINGTON PUBLIC UTILITY DISTRICTS ASSOCIATION
WPUDA
YOUR connection

February 12, 2026

Department of Ecology
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300 Desmond Dr SE
Lacey, WA 98503
anthony.bruma@ecy.wa.gov

RE: DRAFT RULE LANGUAGE- AIR QUALITY IN OVERBURDENED COMMUNITIES- 173-448 WAC

The Washington Public Utility Districts Association (WPUDA) appreciates the opportunity to provide comments on the proposed changes to "Preliminary Draft Rule Language" for Chapter 173-448 WAC.

WPUDA represents 27 of the state's public utility districts which provide water, wastewater, energy, and telecommunications services, that are critical to protect and enhance public health and welfare. Collectively, Public Utility Districts (PUD) provide electric service to about 30% of the households in Washington state. As local government service providers, Washington's not-for-profit PUDs exist to serve the needs of their customers.

We are writing to express concerns regarding the preliminary draft rule language of Chapter 173-448 WAC. While we recognize the importance of improving air quality in overburdened communities, even more important is an electric system that households can rely upon. The draft rule language creates a systemic conflict with Washington's obligation to provide a reliable and adequate power supply. Specifically, the proposed constraints on the operation of "firm" generation resources will increase the likelihood of regional blackouts during extreme weather events which risk the health and welfare of citizens.

WPUDA urges the Department to incorporate flexibility for firm dispatchable resources, such as natural gas with carbon capture that can ensure our air quality targets do not come at the cost of grid stability.

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Washington is facing an unprecedented energy challenge. The region is projected to have a shortfall of up to 8,700 MW (8.7 GW) of effective capacity by 2030—a gap roughly equal to the entire current power load of the state of Oregon. This is not a gradual increase; electricity demand is climbing by nearly 3% per year, driven by population growth, the state-mandated electrification of transportation and buildings and new investments in energy-intensive data centers.

The Reliability Gap of Renewables

The timing of this rulemaking is particularly risky because unprecedented load growth, combined with the state's energy strategy that seeks to achieve decarbonization through increased electrification of transportation and buildings, as we transition to a 100% clean energy grid, this has resulted in a more vulnerable grid particularly during times of peak usage in extreme weather. During the multi-day winter cold snaps that pose the highest risk to the Northwest, onshore wind and utility solar provide only 10–18% of their nameplate capacity during these "critical" periods, respectively. Furthermore, short-duration batteries are

largely ineffective during extended freezes, contributing only 3–6% of their nameplate capacity. Additionally, regional transmission, and especially cross-cascades transmission, operates at and sometimes above its rated capacity in these events.[1] Because these weather-dependent resources cannot guarantee energy during critical periods, the region remains heavily reliant on locally sourced natural gas generation, which operates at a 97% Effective Load-Carrying Capacity [2].

Siting Constraints and Operational Restrictions

Generation siting is restricted by the physical need for proximity to gas pipelines and high-voltage powerlines. These industrial corridors often overlap with the "Identified Communities" targeted by this rule. Under the draft language, "High Priority Significant Emitters" in these areas will be subject to enforceable orders and mandatory emission reductions—starting at 3% in 2030 and increasing to 6% by 2036. These mandates may force operational changes that limit the ability of these plants to run at full capacity exactly when the grid is most stressed.

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At a local level, individuals experiencing extended power outages will resort to all manners of actions for warmth and electricity, some of which pose real and direct health risks. Many will unknowingly operate equipment that emits carbon monoxide for electricity and heating in confined spaces that increases risk for carbon monoxide exposure[3] that can have fatal consequences.

Conclusion

The proposed Chapter 173-448 WAC is in direct conflict with projected load growth. By imposing inflexible emission limits in the very locations where infrastructure must be operated, Ecology risks triggering rolling blackouts and public health risks.

Please contact me directly at 360-890-6681, or tnelson@wpuda.org to answer any questions or provide additional clarifications.

Thank you for the opportunity to provide these comments.

Sincerely,

Travis Nelson, Regulatory Affairs Manager
Washington Public Utility Districts Association

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[1] On January 8, 2026, from 9:00am-3:30pm, BPA's Cascades North Flowgate operated at 97.15% of capacity and even exceed it rated capacity for during a 15-minute interval.

[2] https://epsa.org/explainer-understanding-how-energy-reliability-is-measured/#:~:text=Effective%20Load%2DCarrying%20Capacity%20(ELCC)s&text=ELCCs%20are%20a%20percentage%20of,30%20MW%20towards%20reliability%20requirements.

[3] https://wpln.org/post/carbon-monoxide-poisoning-hospitalizes-dozens-in-tennessee-winter-storm/