

Multiple Agency Fiscal Note Summary

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Ecology	0	0	160,479	0	0	320,958	0	0	320,958
Total \$	0	0	160,479	0	0	320,958	0	0	320,958

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.0	0	0	0	.0	0	0	0	.0	0	0	0
University of Washington	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	2.4	1,267,107	1,267,107	1,427,586	3.0	706,988	706,988	1,027,946	2.1	339,636	339,636	660,594
Environmental and Land Use Hearings Office	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Agriculture	.3	0	0	89,120	.1	0	0	18,810	.0	0	0	0
Total \$	2.7	1,267,107	1,267,107	1,516,706	3.1	706,988	706,988	1,046,756	2.1	339,636	339,636	660,594

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Department of Agriculture	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Final 2/19/2024
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Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 090-Office of State Treasurer
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Mandy Kaplan	Phone: (360) 902-8977	Date: 02/13/2024
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 02/13/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 02/14/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

2SHB 2073 relates to emissions of greenhouse gases from sources other than methane and carbon dioxide.

No fiscal impact to office.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 02/15/2024
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 02/15/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/15/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

1. The Attorney General's Office (AGO) Agriculture and Health Division (AHD) has reviewed this bill and determined the enactment of this bill will not impact the provision of legal services to the Department of Health (DOH) and the Department of Agriculture (AGR). The bill would require DOH to evaluate and provide consultation on anesthetic gases as related to greenhouse gas emissions. This may require some limited legal services. The bill would require AHD to consult with AGR on identifying the availability and feasibility of safer alternatives to the use of sulfuranyl fluoride as a fumigant and preparing and submitting a legislative report. This may require some limited legal services, at a level that are nominal and costs are not included in this request.

2. The AGO Ecology Division (ECY) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Ecology (Ecology). The substitute bill requires Ecology to commission a study on sulfuranyl fluoride, a fumigant pesticide (Section 2) and collect information on alternatives (Section 5). This bill requires Ecology to commission study on sulfuranyl fluoride, a fumigant pesticide (Section 2) and collect information on alternatives (Section 5). It also requires Ecology to consider the addition of sulfuranyl fluoride to the definition of greenhouse gases for the purposes of reporting and regulation (Section 2(3)), and authorizes Ecology to require reporting starting emission year 2025. This will require a targeted and technical rulemaking by Ecology to implement in the Green House Gas (GHG) reporting rule, WAC 173-441. Section 3 of the bill requires Ecology to develop guidance for best practices for the use of certain anesthetic chemicals by medical, dental, and veterinary practitioners to reduce greenhouse gas impacts of the chemicals and requires such practitioners to "only use anesthesia in a manner consistent with the guidance document" after July 1, 2027, and specifies that Ecology may not issue civil penalties to a facility owner or operator for any violations of the guidance. ECY construes this section to require development of the guidance as a set of best practices to be followed, but not require Ecology to develop an enforceable rule, as the bill includes no express rulemaking authority or enforcement mechanism. New legal services are nominal and costs are not included in this request.

3. The AGO University of Washington (UOW) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

4. The AGO Washington State University Division (WSU) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 303-Department of Health
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 02/15/2024
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 02/15/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/15/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The fiscal impact has changed from the previous fiscal note on Substitute House Bill 2073. The second substitute removes the requirement that the Department of Health evaluate the medical procedure and professional liability risks of alternative anesthetic options intended to lower greenhouse gas emissions associated with the use of anesthetic gases and submit an evaluation to the Department of Ecology and appropriate committees of the legislature by July 1, 2025.

This bill concerns emissions of greenhouse gases from sources other than methane and carbon dioxide.

Section 3: Adds a new section to chapter 43.21A RCW (Department of Ecology) requiring the Department of Ecology to develop and publish a guidance document intended to reduce greenhouse gas emissions associated with the use of gases with a high global warming potential that are used for anesthesia purposes in medical, dental, veterinary, or other similar facilities and settings by January 1, 2026. The Department of Health assumes input provided to the Department of Ecology will be in a consultation capacity which will be limited to recommendations and therefore no fiscal impact.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 360-University of Washington
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Michael Lantz	Phone: 2065437466	Date: 02/14/2024
Agency Approval: Michael Lantz	Phone: 2065437466	Date: 02/14/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/14/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Second Substitute House Bill 2073 concerns emissions of greenhouse gases in the medical, dental, and veterinary fields, as well as from fumigant pesticides. Compared with the previous version of the bill, the second substitute makes the following changes:

- Specifies additional information that must be included in the Department of Ecology’s (Ecology) 2025 report.
- Eliminates the study on professional liability and medical procedure risks associated with low-emission anesthesia alternatives.
- Requires Ecology to consider input on the professional liability and medical procedure risks associated with low-emission anesthesia alternatives when developing guidance.
- Specifies that the guidance does not require a practitioner or facility to provide medical care in a manner that increases medical procedure or professional liability risks.
- Clarifies that Ecology may not issue penalties for failing to follow the guidance document.

These changes will not materially affect the University of Washington’s (UW) fiscal analysis. Therefore, we are submitting substantially the same fiscal note.

Section 3 would impact UW Medicine. It requires Ecology to develop and publish guidance for the reduction of greenhouse gases associated with the use of anesthetic gases for medical, dental, and veterinary procedures by January 1, 2026. In developing this guidance, Ecology is required to consult a variety of medical entities including the UW via UW Medicine. By January 1, 2027, anesthetic gases must be used in a manner consistent with Ecology’s guidance.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The costs for UW and UW Medicine to comply with 2SHB 2073 are likely to be relatively minimal. UW Medicine should be able to provide consultation on Ecology’s guidance within existing resources. Meanwhile, UW Medicine may need to revise policies and provide training to comply with the adopted guidance regarding anesthetic use. UW Medicine has already done significant work to reduce greenhouse gas emissions associated with the use of anesthetic gases and anticipates any additional fiscal impacts resulting from revisions to policy, practice, and training to be minimal, but indeterminate.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 365-Washington State University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Anne-Lise Brooks	Phone: 509-335-8815	Date: 02/16/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 02/16/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/16/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

2S HB 2073 relates to the emission of greenhouse gases from sources other than methane and carbon dioxide. A study is to be completed by the department of ecology on a variety of gases, and the department will issue a guidance document.

Washington State University is included in section 3 as a subject matter expert to be consulted.

At this time Washington State University does not expect any fiscal impact due to this bill.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Air Pollution Control Account-State 216-1		160,479	160,479	320,958	320,958
Total \$		160,479	160,479	320,958	320,958

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	4.9	2.5	3.0	2.1
Account					
General Fund-State 001-1	0	1,267,107	1,267,107	706,988	339,636
Air Pollution Control Account-State 216-1	0	160,479	160,479	320,958	320,958
Total \$	0	1,427,586	1,427,586	1,027,946	660,594

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Cristina Steward	Phone: 564-669-1723	Date: 02/16/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/16/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/19/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Compared to SHB 2073, 2SHB 2073 has the following changes:

Section 2 (1) (2) adds the Department of Agriculture (WSDA) alongside the Department of Health (DOH) as an agency Ecology must consult when it develops recommendations on legislative changes. Ecology must include dissenting opinions from WSDA and DOH for recommendations made by Ecology that the other agencies do not endorse.

Section 3 (2) (d) adds a requirement for Ecology to consider input related to professional liability, medical risks and financial considerations associated with alternative lower greenhouse gas options for anesthetic gases. The guidance may not require medical care that increases professional liability risks.

Section 3 (4) specifies that Ecology may not issue penalties for noncompliance with the guidance document.

The previous section 4 (DOH required evaluation of alternatives and risk) is removed and replaced with Section 3(2)(d). Section numbering is adjusted accordingly.

These changes do not change the fiscal impact to Ecology.

Under the Clean Air Act the Department of Ecology (Ecology) regulates greenhouse gas (GHG) reporting. Ecology has the authority to designate legislatively specified and other GHGs by rule for required reporting.

This bill would require Ecology, in consultation with the Department of Health (DOH) and other groups, to develop a guidance document to reduce emissions from certain anesthetics, a study to support the guidance, and subject matter expertise on sulfuryl fluoride as a GHG. Ecology would need to review and consider whether to add sulfuryl fluoride to the list of regulated GHG emissions consistent with authority granted under RCW 70A.45.010.

Section 2 would require Ecology to commission a study to be completed by July 1, 2025, which includes analysis on inclusion of sulfuryl fluoride and certain anesthetics as a GHG, determination of its sources and uses, estimation on quantity of emissions in Washington, and recommendation of reduction measures. Ecology would need to consult with the departments of Health and Agriculture, and submit a report to the Legislature by October 1, 2025, that includes recommendations for changes to statutes and reduction measures.

Section 2 (3) would require Ecology to consider the addition of sulfuryl fluoride as a greenhouse gas consistent with several statutes, allowing Ecology to require reporting on sulfuryl fluoride as a greenhouse gas as early as calendar year 2025. Adding sulfuryl fluoride as a GHG required for reporting, would require Ecology to update current rules around GHGs.

Section 3 would require Ecology to develop a guidance document by January 1, 2026, for reducing use of high global warming potential gases that are used for anesthetic purposes in medical, dental, veterinary, or other similar facilities and settings. Ecology would be required to consult with DOH in developing the guidance document, and solicit input from a specified list of health, veterinary and environmental organizations, and certain universities. Additionally, Ecology would be required to work with and gather information from other jurisdictions which use the specified gases because the report's findings and recommendations would mandate uses allowed concerning the specified gases within those jurisdictions beginning January 1, 2027. Ecology would need to provide continued technical assistance in support of the guidance.

Section 4 would require Ecology to identify the availability and feasibility of safer alternatives to the use of sulfuryl fluoride as a fumigant, in consultation with the Department of Agriculture and with input solicited from affected stakeholders. Ecology may order manufacturers, distributors, or importers of this gas to submit reports to Ecology. Ecology, in

consultation with Department of Agriculture, would be required to submit a legislative report by October 1, 2025, on availability of safer alternatives to sulfuryl fluoride for pest management, including any recommendations for actions to reduce sulfuryl fluoride emissions. This section expires July 1, 2026.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

The cash receipts impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year FY 2026 and ongoing for revenue under section 2.

Under RCW 70A.15.2200, any person responsible for the operation of air contaminant sources is required to register and report to Ecology and pay an Air Contaminant Source Registration Fee to cover the costs of administering the program.

The fee for entities reporting greenhouse gas emissions under WAC 173-441-120, WAC 173-441-122, and WAC 173-441-124 is established by applying 90% of the annual cost for administering the program by the number of projected reporters subject to third-party verification in that year, and 10% of the annual cost for administering the program by the remaining number of projected reporters in that year. Fees are collected in the Air Pollution Control Account.

Section 2 (3) of this bill would allow Ecology to add sulfuryl fluoride to the list of emissions that are required to report annual data if emissions exceed the reporting threshold. Based on an assumption that Ecology would add sulfuryl fluoride to the list of emissions that are required to report, costs associated with ongoing implementation and verification of reporting under section 2 would be recovered through the fee paid by additional reporters.

Ecology estimates the additional revenue would be \$160,479 in FY 2025 and ongoing.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year FY 2025 and ongoing to implement the requirements of sections 2, 3, and 4.

Section 2 – Study and Report

Section 2 would allow Ecology to amend WAC 173-441-120, WAC 173-441-122, and WAC 173-441-124 and would require Ecology to commission a study to be completed by July 1, 2025, and deliver a report to the Legislature by October 1, 2025, which includes recommendations on actions that would produce a reduction in GHGs associated with sulfuryl fluoride or anesthetic gases and any recommendations to prohibit the manufacture, distribution, sale, or use of specific anesthetic gases. Ecology would be required consult with DOH and coordinate stakeholder input for the report.

Ecology estimates the cost to implement the study and report required under Section 2 would be:

0.4 FTE Environmental Planner 5 in FY 2025 and FY 2026. This position would set up and coordination of the contract, and work with the environmental justice coordinator to ensure environmental justice considerations are met. Work would also include coordination with other state agencies, and finalization and submission of the legislative report.

In FY 2025, Ecology would hire a contractor to analyze evidence of sulfuryl fluoride (SF) as a potent GHG, determine sources for SF and select anesthetics and how they are used in Washington, estimate emissions, and recommend potential points of regulation and measures for reducing emissions. The study would be completed by July 1, 2025. The expected cost for this work based on similar contracts would be \$100,000 for FY 2025.

Section 2 (3) – Rulemaking

Section 2 would require Ecology to consider adding to the list of chemicals Ecology defines as a GHG and permits reporting starting calendar year 2025.

For fiscal note purposes, Ecology assumes we would add sulfuryl fluoride as a GHG by rule.

Updating the GHG list would require rulemaking for changes to Ecology’s current GHG definitions in rule.

Rulemaking changes for adding the definition to the list would be targeted and technical in nature and are included in the rulemaking costs below. Ecology estimates that rulemaking would be moderately complex and generate substantial public interest and input. It would require eighteen months, from July 1, 2025, to December 31, 2026.

This type of rulemaking would include 2 preproposal meetings to gather input from stakeholders and develop the Environmental Justice Assessment and then 2 public hearings to accept comments on the rule proposal.

0.5 FTE Environmental Planner 3 Rulemaking Lead in FY 2025 and 0.25 FTE in FY 2026 who would coordinate the rulemaking effort. 0.25 FTE Environmental Engineer 6 Technical Lead in FY 2025 and 0.12 FTE in FY 2026 would advise on rule language and drive the overall policy change for the program.

0.5 FTE Environmental Planner 3 Public Outreach Coordinator in FY 2025 and 0.25 FTE in FY 2026 to support public engagement and outreach during the rulemaking process.

0.2 FTE Economic Analyst 3 in FY 2026 and 0.05 FTE Regulatory Analyst 2 in FY 2026 would complete an economic and regulatory analysis of the rule.

Ecology would hold 1 public hearing in FY 2025 and 1 public hearing in FY 2026 for rulemaking. Goods and services estimates include facility rental and facilitation costs estimated at \$4,000 per hearing.

The Attorney General’s Office assumes no additional fiscal impact for rulemaking support.

Section 2 (3) – New Reporting Requirements

Section 2 would require Ecology to consider the addition of sulfuryl fluoride to the list of emissions that are required to be reported annually if they exceed the reporting threshold, and allows Ecology to begin reporting requirements in calendar year 2025. Ecology’s current reporting requirements are under WAC 173-441, and adding to the list of chemicals required to be reported to Ecology would require a rulemaking. The additional reporting would require staff time to develop reporting guidance and verify reports of the added GHGs.

Ecology estimates the costs to implement the new reporting under section 2 would be:

1.0 FTE Environmental Planner 3 in FY 2025 and ongoing. This position would develop reporting tools and implementation guidance for suppliers of sulfuryl fluoride based on the rulemaking. Work would include stakeholder outreach support and training to facilitate supplier reporting, review and verification of sulfuryl fluoride supplier reports for accuracy.

Ecology would need to update IT reporting systems and increase staff for additional reporting. Ecology estimates those additional costs to be:

0.25 FTE Business Analyst FY 2025 and ongoing. This position would provide project management for development and deployment of the reporting platform, conduct business analysis and end-user needs, and oversee interactions between the reporting platform and existing reporting systems and databases. This position would serve as primary contact for systems coordination with the developers and the business users/reviewers.

0.25 FTE IT App Development SR/SPEC – FY 2025. This position would be responsible for the integration of the new sulfuryl fluoride data from Washington Electronic Database for Greenhouse Gas Emissions (WEDGE) into the Cap and Invest Database (CAID).

0.25 FTE IT App Development SR/SPEC – FY 2025. This position would be responsible for the inclusion of the new reporting entities in GHG Registration, and the inclusion of the entity reports into the WEDGE database.

Section 3 – Guidance Documents

Section 3 would add a new section to chapter 43.21A RCW that would require Ecology, in consultation with DOH, to develop a guidance document by January 1, 2026, for reducing use of high global warming potential gases, including at a minimum: Sevoflurane; desflurane; isoflurane; halothane; and nitrous oxide. Ecology must solicit input from a specified list of health, veterinary and environmental organizations. The guidance document must consider efforts of other jurisdictions. By January 1, 2027, facilities using these gases may only use them in a manner consistent with the guidance document.

Ecology estimates the cost to implement Section 3 would be:

In FY 2025, Ecology would hire a contractor to support engagement and solicit input from identified stakeholders and other subject matter experts. Contractor work would also include support for development of the guidance document including incorporation of efforts from other jurisdictions, best practices to limit emissions, and identification of potential alternatives

Based on similar contracts, costs for this contract would total \$250,000 for FY 2025 and \$50,000 for FY 2026.

0.6 FTE Environmental Planner 5 in FY 2025 and ongoing. This position would support, track, and oversee the contract work, represent Ecology and coordinate with multiple state agencies and professional groups, and develop and maintain technical expertise. This position would be ongoing to provide technical assistance to users of the guidance, update guidance as needed, support implementation of best practices for reduction of sulfuryl fluoride GHG and maintain technical expertise and stay up to date on new low-GWP alternatives and additional emissions reduction measures that could be used by guidance users to reduce GHGs.

Section 4 – Stakeholder Engagement

Section 4 would require Ecology, in consultation with the Department of Agriculture, to submit a legislative report by October 1, 2025, on the availability and feasibility of safer alternatives to the use of sulfuryl fluoride as a fumigant, with input solicited from affected stakeholders. Input would be solicited through engagement with community partners as mediators, and translation and live interpretation would likely be required. Ecology would need to provide language services, lived experience compensation, and compensation to community partner organizations.

Goods and services estimates include costs for translation services, lived experience compensation, and compensation for community partner organizations at \$2,500 in FY 2025 and \$2,500 in FY 2026.

Ecology estimates the costs to implement Section 4 include:

0.25 FTE Community Outreach and Environmental Education Specialist 3 in FY 2025 and FY 2026. This position would support Environmental Justice coordination and outreach. Work would include support with environmental justice analyses and reviews, identifying overburdened communities and vulnerable populations, assessing for cumulative environmental impacts, co-developing equity strategies, etc., and ongoing support for technical assistance to public users of the finalized guidance document.

In FY 2025, Ecology would hire a contractor to provide materials, science expertise and research including alternatives assessments of possible substitute chemicals, and performance testing to help evaluate the feasibility of alternatives. The expected cost for this work based on similar contracts would be \$300,000 for FY 2025 and \$50,000 for FY 2026.

SUMMARY: The expenditure impact to Ecology under this bill is summarized below.

Rulemaking is estimated to require:

FY 2025: \$218,838 and 1.4 FTEs

FY 2026: \$108,250 and 0.7 FTEs

GHG Tracking and Reporting is estimated to require:

FY 2025: \$1,208,748 and 3.5 FTEs

FY 2026: \$589,399 and 3.2 FTEs

FY 2027: \$330,279 and 2.1 FTEs

FY 2028: \$330,279 and 2.1 FTEs

FY 2029: \$330,279 and 2.1 FTEs

THE TOTAL EXPENDITURE IMPACT to Ecology under this bill is estimated to be:

FY 2025: \$1,427,586 and 4.9 FTEs

FY 2026: \$697,649 and 3.9 FTEs

FY 2027: \$330,297 and 2.1 FTEs

FY 2028: \$330,297 and 2.1 FTEs

FY 2029: \$330,297 and 2.1 FTEs

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 34.1% of salaries.

Contracts are included of \$650,000 in FY 2025 and \$100,000 in FY 2026.

Goods and Services are the agency average of \$6,048 per direct program FTE. Goods and Services also includes \$6,500 in FY 2025 and FY 2026 for rulemaking hearings and translation services.

Travel is the agency average of \$2,205 per direct program FTE.

Equipment is the agency average of \$1,286 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 29.8% of direct program salaries and benefits and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE and are identified as Fiscal Analyst 2 and IT App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	1,267,107	1,267,107	706,988	339,636
216-1	Air Pollution Control Account	State	0	160,479	160,479	320,958	320,958
Total \$			0	1,427,586	1,427,586	1,027,946	660,594

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		4.9	2.5	3.0	2.1
A-Salaries and Wages		419,702	419,702	500,770	359,238
B-Employee Benefits		143,119	143,119	170,763	122,500
C-Professional Service Contracts		650,000	650,000	100,000	
E-Goods and Other Services		32,204	32,204	38,071	22,378
G-Travel		9,371	9,371	11,510	8,158
J-Capital Outlays		5,467	5,467	6,714	4,760
9-Agency Administrative Overhead		167,723	167,723	200,118	143,560
Total \$	0	1,427,586	1,427,586	1,027,946	660,594

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
COM OUTRCH & ENV ED SP 3	67,717		0.3	0.1	0.1	
ECONOMIC ANALYST 3	95,627				0.1	
ENVIRONMENTAL ENGINEER 6	128,628		0.3	0.1	0.1	
ENVIRONMENTAL PLANNER 3	86,716		2.0	1.0	1.3	1.0
ENVIRONMENTAL PLANNER 5	105,612		1.0	0.5	0.8	0.6
FISCAL ANALYST 2			0.4	0.2	0.3	0.2
IT APP DEV-JOURNEY			0.2	0.1	0.1	0.1
IT APP DEV-SR/SPEC	124,071		0.5	0.3		
IT BUSINESS ANALYST-SR/SP	118,145		0.3	0.1	0.3	0.3
REGULATORY ANALYST 2	88,798				0.0	
Total FTEs			4.9	2.5	3.0	2.1

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Ecology assumes we would conduct rulemaking to amend the Clean Air Act program rules under chapter 173- 441 WAC to add sulfuryl fluoride as a greenhouse gas as authorized under section 2.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 468-Environmental and Land Use Hearings Office
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 02/13/2024
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 02/13/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/16/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

This bill instructs Ecology to investigate sulfuryl fluoride, determine and recommend how to reduce/eliminate them as greenhouse gases (GHGs).

Sec. 2 – Requires Ecology to report to the legislature regarding statutory changes needed to reduce GHG emissions associated with the use of sulfuryl fluoride and other gases. Allows Ecology to determine if producers or suppliers of sulfuryl fluoride should be required to report under RCW70A.15.2200 for calendar year 2025 emissions.

Sec. 3 – Ecology must create a guidance document to reduce GHG emissions associated with the use of certain gases.

Sec. 4 – Ecology must identify safer alternatives, may order a manufacturer, distributor, or importer of certain gases to submit notice to Ecology of information to determine GHG emissions. Ecology must report availability of safer alternatives to the legislature.

The effect on the Pollution Control Hearings Board (PCHB) is only that these things might be included in reporting starting with 2025 data and the PCHB's review authority over penalties (RCW 70A.15.3160)/orders (RCW 70A.15.2520 & .3010) issued for violations of Chapter 70A.15 RCW.

Speculatively, if Ecology determines to require such reporting, ELUHO estimates 0-1 low complexity PCHB appeals per year resulting from this bill. ELUHO assumes the PCHB can absorb costs associated with this bill.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

None

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 2073 2S HB	Title: Greenhouse gas other sources	Agency: 495-Department of Agriculture
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.5	0.3	0.1	0.0
Account					
Model Toxics Control Operating Account-State 23P-1	0	89,120	89,120	18,810	0
Total \$	0	89,120	89,120	18,810	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Daleena Blair	Phone: 360-584-4568	Date: 02/15/2024
Agency Approval: Lori Peterson	Phone: 360-974-9767	Date: 02/15/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 02/15/2024

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Compared to SHB 2073, 2SHB 2073 Section 2 (2) would require Washington State Department of Agriculture (WSDA) to provide consultation for a Department of Ecology (ECY) study.

The amendment summarized above would not change the fiscal impacts WSDA estimated for the previous version of the proposed legislation.

Under current law, Washington State Department of Agriculture (WSDA) is responsible for enforcing pesticide regulations.

Section 2 (2) would require the ECY to consult with WSDA by October 1, 2025, in preparing a study providing recommendations for reducing greenhouse gas emissions associated with sulfuranyl fluoride.

Section 4 (1) would require the ECY to consult with WSDA to identify the availability and feasibility of safer alternatives for sulfuranyl fluoride as a fumigant.

Section 4 (3) would require ECY to consult with WSDA to submit a report to the Legislature regarding the availability of safer alternatives to sulfuranyl fluoride and proposed actions to reduce sulfuranyl fluoride emissions by October 1, 2025.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The expenditure impact to Washington State Department of Agriculture (WSDA) is estimated to be greater than \$50,000 in fiscal year (FY) 2025 and less than \$50,000 in FY 2026. Costs are assumed to be in the Model Toxics Control Account-Operating, which is the standard appropriated account used for WSDA's pesticide management activities under current law.

Section 4 (3): Report on sulfuranyl fluoride alternatives

Assuming the proposed legislation would be effective July 1, 2024, WSDA estimates 0.5 FTE Pesticide Regulatory Specialist 3 (PRS3) would be needed in fiscal year 2025, and 0.5 FTE PRS3 would be needed for July through September 2025 (0.13 FTE) in fiscal year 2026 to conduct research and consult with ECY. WSDA assumes the employee would be responsible for writing a report of their findings in FY 26.

The Pesticide Regulatory Specialist 3 would conduct research and outreach to obtain statewide use data for sulfuranyl fluoride across multiple industries, conduct a detailed evaluation of all alternative pesticides, determine which pesticides are appropriately labeled for fumigation use, allow use on relevant agricultural commodities, and are effective for pest control. The PRS3 would consolidate a report of findings for submittal to the Department of Ecology. WSDA assumes Ecology would coordinate submittal of the report to the appropriate committees of the legislature.

The total estimated fiscal impact of the proposed legislation is as follows:

FY 2024: \$0 and 0.00 FTE

FY 2025: \$ 89,120 and 0.50 FTE

FY 2026: \$ 18,810 and 0.13 FTE

Summary of cost assumptions by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are calculated based on current standard statewide benefit rates. This fiscal note corrects previously estimated health benefit costs in the fiscal note for the previous version of the proposed legislation.

Goods and Services are the agency average of \$8,600 per direct program FTE. Goods and Services also include building lease costs, estimated at \$3,800 per FTE per year, professional development costs estimated at \$500 per FTE per year, and personnel services charges, estimated to be 0.347% of salaries.

Equipment includes one-time workstation set-up costs of \$5,000 for the position, estimated to be \$5,000 in fiscal year 2025. Agency Administrative Overhead is calculated based on a rate of 24.6% of direct program salaries and benefits.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
23P-1	Model Toxics Control Operating Account	State	0	89,120	89,120	18,810	0
Total \$			0	89,120	89,120	18,810	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.5	0.3	0.1	
A-Salaries and Wages		46,670	46,670	11,670	
B-Employee Benefits		15,540	15,540	2,100	
C-Professional Service Contracts					
E-Goods and Other Services		6,610	6,610	1,650	
G-Travel					
J-Capital Outlays		5,000	5,000		
N-Grants, Benefits & Client Services					
9-Agency Administrative Overhead		15,300	15,300	3,390	
Total \$	0	89,120	89,120	18,810	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
PESTICIDE REGULATORY SPECIALIST 3	93,343		0.5	0.3	0.1	
Total FTEs			0.5	0.3	0.1	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.