

# EPA's Mandatory Reporting of Greenhouse Gases Rule

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# Mandatory Reporting of GHGs

## Timeline:

- Proposed March 10, 2009
  - Signed September 22, 2009
  - Published October 30, 2009
  - Effective December 29, 2009
- More comprehensive and stringent than DNR reporting requirements.

# Key Elements of the Rule

- Annual reporting of GHGs by:
  - 25 source categories
  - 5 types of suppliers of fuel and industrial GHGs
  - Motor vehicle and engine suppliers (except light duty sector)
- 25,000 mtCO<sub>2</sub>e per year *actuals* threshold for most sources
- Requires certification by designated representative
- Does not require 3<sup>rd</sup> party verification
- Does not preempt State reporting programs

# Reporting Deadlines

- Data reported directly to EPA electronically
- First reports due to EPA March 31, 2011 for CY 2010
- CY 2009 report still due to DNR March 31, 2010
- DNR will then transition to statewide GHG inventory

# All-in Source Categories

Electricity Generation if report CO <sub>2</sub> year round through Part 75	Petrochemical Production
Adipic Acid Production	Petroleum Refineries
Aluminum Production	Phosphoric Acid Production
Ammonia Manufacturing	Silicon Carbide Production
Cement Production	Soda Ash Production
HCFC-22 Production	Titanium Dioxide Production
HFC-23 Destruction Processes (see rule for caveats)	MSW Landfills that generate CH <sub>4</sub> ≥ 25,000 mtCO <sub>2</sub> e
Lime Manufacturing	Manure Management Systems with combined CH <sub>4</sub> & N <sub>2</sub> O ≥ 25,000 mtCO <sub>2</sub> e*
Nitric Acid Production	<i>*barred by FY 2010 Appropriations Bill</i>

# Threshold Categories

Stationary Combustion Units	Lead Production
Ferroalloy Production	Pulp and Paper Manufacturing
Glass Production	Zinc Production
Iron and Steel Production	

- $\geq 25,000$  metric tons CO<sub>2</sub>e per year *actuals* from all source categories, combustion units, and miscellaneous use of carbonates.
- Unit-level reporting for stationary combustion units.
- Allows aggregation of up to 250 MMBtu/hr or units if they use the same Tier calculation.
- No exemption for space heaters or insignificant combustion units except emergency equipment.

# Sources Not Included in Final Rule

Electronics manufacturing	SF <sub>6</sub> from electrical equipment
Ethanol production	Underground coal mines
Fluorinated GHG production	Industrial landfills
Food processing	Wastewater treatment
Magnesium production	Suppliers of coal
Oil and natural gas systems	Geologic sequestration

Facilities with these source categories could be covered by the rule based on GHG emissions from stationary fuel combustion sources.

Expect revisions to the rule for these categories in 2010.

# What Suppliers Are Covered?

- All producers of petroleum products, coal-based liquids, industrial GHGs, and CO<sub>2</sub>
- Exporters of 25,000 mtCO<sub>2</sub>e/year
- Importers of 25,000 mtCO<sub>2</sub>e/year
- All fractionators and local gas distribution companies of natural gas and natural gas liquids.

# Emissions Monitoring

## – CEMS

- Required if already used for NSPS, Acid Rain, etc. and meet specified criteria
- May need to upgrade to certify for CO<sub>2</sub>
- Optional for other sources

## – Source category-specific GHG calculation methods

- Monitor process parameters, fuel use (fuel sampling)
- Calculate GHG using equations in subpart
- Monitoring plan in place by April 1, 2010
- QA/QC requirements to 5% accuracy for monitors and flow meters
- Tiers calculations apply by fuel

# Special Provisions for 2010

- Best available monitoring method may be used during 1<sup>st</sup> Quarter of 2010
- Must begin following all applicable monitoring & QA/QC requirements on April 1, 2010
- Extension requests must be received by January 28, 2010.
- Abbreviated 2010 report for sources with only fossil fuel combustion units (can report facility total instead of unit GHG)

# Mobile Source Requirements

- Emissions from mobile sources will be captured by reports from fuel suppliers and manufacturers of vehicles and engines (outside of the light-duty sector).
- No requirements for fleet operators or state and local governments.
- Manufacturers of vehicles and engines—including heavy-duty trucks, motorcycles, and nonroad engines—will report CO<sub>2</sub> starting with model year 2011 and other GHGs in subsequent model years.

# When Can You Stop Reporting?

- If annual reports demonstrate CO<sub>2</sub>e <25,000 metric tons/year for 5 consecutive years.
- If annual reports demonstrate CO<sub>2</sub>e <15,000 metric tons/year for 3 consecutive years.
- If you shut down all processes/units/supply operations covered by the rule.
- Must notify EPA.
- If threshold is subsequently triggered, must start reporting again.

# Technical Assistance

<http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>

- On-line applicability tool
- Technical assistance materials
- Trainings and webinars
- RSS available to announce new outreach materials