



Washington's Greenhouse Gas Reporting Rule

WAC 173-441

October 6 & 7, 2010

Public Hearings



Statute for GHG Reporting Rule

House Bill 2815* passed in 2008 legislative session

- Required Ecology to adopt rules for mandatory reporting of greenhouse gas (GHG) emissions (Chapter 173-441 WAC)
- Used 2008 GHG accounting structure
 - Entity reporting
 - Direct and indirect emissions
 - Transportation emissions: fleet operator reporting

*Codified in RCW 70.94.151

EPA GHG Reporting Rule

EPA released federal rule (9/22/2009)

- Ecology released CR-102 draft (9/21/2009)
- Fundamentally different framework
 - Facility reporting
 - Direct emissions only
 - Upstream reporting: transportation, fugitives, etc



Statute for GHG Reporting Rule

Substitute Senate Bill 6373, 2010 (SSB 6373)
passed in 2010 legislative session

- Ecology sponsored legislation to be more consistent with EPA
 - Facility reporting
 - Direct emissions only
 - Consistency with EPA methods
 - Upstream reporting: use DOL reporting as basis for fuel suppliers
- Restart rule development



Comparison of WA and EPA Rules

Issue	SSB 6373 WA Rule	EPA Final GHG Reporting Rule
First Reporting Year Report Due Date	<ul style="list-style-type: none"> •2012 emissions •October 31, 2013 (March 31, 2013 if also EPA reporter) •Using ability to phase until 2012 	<ul style="list-style-type: none"> •2010 emissions •March 31, 2011
GHGs Covered in Rule	<ul style="list-style-type: none"> •6 Kyoto listed GHGs •Plus other fluorinated gases (EPA) 	<ul style="list-style-type: none"> •6 Kyoto listed GHGs •Plus other fluorinated gases
Threshold	10,000 MT CO ₂ e (fixed, includes biomass)	25,000 MT CO ₂ e (variable, excludes biomass)
Upstream Suppliers	<ul style="list-style-type: none"> •Transportation only: liquid motor vehicle fuel, special fuel, or aircraft fuel •Supplier defined by WA tax system •Only info already supplied to DOL •Aggregation and confidentiality 	<ul style="list-style-type: none"> •More fuel types – transport, stationary, liquid, solid, gas, etc •High GWP/industrial gas suppliers •Vehicle engine manufacturers
Protocols	Sector specific (EPA)	Sector specific
Biomass	<ul style="list-style-type: none"> •Included in threshold •Reported separately 	<ul style="list-style-type: none"> •Not included in threshold •Reported separately
Emissions Reported	Direct emissions	Direct emissions
Level of Reporting	Facility level	Facility level



Consistency with EPA

- General provisions
- Scope
- Methodologies
- Greenhouse gases to report
- Data management and reporting system
- Timing



EPA Final Source Categories

General Stationary Fuel Combustion	Iron and Steel Production	Silicon Carbide Production
Electricity Generation	Lead Production	Soda Ash Manufacturing
Adipic Acid Production	Lime Manufacturing	Titanium Dioxide Production
Aluminum Production	Magnesium Production	Underground Coal Mines
Ammonia Manufacturing	Miscellaneous Uses of Carbonate	Zinc Production
Cement Production	Nitric Acid Production	Municipal Solid Waste Landfills
Ferroalloy Production	Petrochemical Production	Industrial Wastewater Treatment
Glass Production	Petroleum Refineries	Manure Management
HCFC-22 Production and HFC-23 Destruction	Phosphoric Acid Production	Industrial Landfills
Hydrogen Production	Pulp and Paper Manufacturing	



EPA Proposed Source Categories

April 12, 2010 Proposed Rules

Electronics Manufacturing (including manufacture of semiconductors, photovoltaic cells, liquid crystal displays, and micro-electro-mechanical systems)

Fluorinated Gas Production

Petroleum and Natural Gas Systems

Use of Electric Transmission and Distribution Equipment

Carbon Dioxide Injection and Geologic Sequestration

Manufacture of Electric Transmission and Distribution Equipment

- Proposed versions in rule, Ecology will update to final if ready by adoption date
- Proposed revisions to general provisions also included

Greenhouse Gases to Report

- Carbon Dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbons (HFC's)
- Perfluorocarbons (PFC's)
- Sulfur Hexafluoride (SF₆)
- Other fluorinated GHGs in EPA's rule



Facility Data Management and Reporting System

- Electronic GHG Reporting Tool (e-GRET)
 - Web form (TurboTax style)
 - Bulk upload (xml)
- Ecology is working with EPA to use EPA's reporting system for both federal and state reporting
 - Report once to EPA
 - EPA forwards data to Ecology
 - EPA's system modified to accept our threshold differences and other minor adjustments

Transportation Fuel Suppliers

- Suppliers use different system (DOL based)
 - Reporting responsibility based on those who file periodic tax reports to DOL (not based on taxes)
 - Not required to use additional data for calculations
 - Based on statewide fuel totals
 - Confidential info obtained from DOL will stay confidential
- Report GHG emissions totals directly to Ecology
- Separate from facility reporting
- Fleets not required to report

Phasing

- Ecology plans to phase to maximum extent
- No reporting for 2009, 2010, or 2011 emissions
- Ecology will work with EPA to get pre-2012 data from EPA reporters
- 2012 emissions reported to Ecology for all sources in rule at 10,000 MT CO₂e threshold
- First report due:
 - Facilities that also report to EPA: March 31, 2013
 - Facilities and suppliers that do not report to EPA: no later than October 31, 2013



Rule Development Timeline

Event	Date
SSB 6373 signed by Governor	March 19, 2010
Withdrew previous rule making	April 6, 2010
File new pre-proposal statement of inquiry (CR-101)	May 18, 2010
First advisory committee meeting	June 11, 2010
New draft rule	June 30, 2010
Second advisory committee meeting	July 6, 2010
File proposed rule making (CR-102)	September 1, 2010
Comment period	September 15 – October 14, 2010
Public hearings	October 6 and 7, 2010
Adoption (CR-103)	December 1, 2010
Effective	January 1, 2011



Commenting on Draft Rule

- Written comments due by October 14, 2010
- Send comments to:
 - Mail:
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WA Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
 - e-mail: neil.caudill@ecy.wa.gov
 - Fax: 360-407-7534



Want to learn more?

- Ecology contact:

Neil Caudill

neil.caudill@ecy.wa.gov

360-407-6811

- Washington GHG Reporting Rule web page:

http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/GreenHouseGasreporting_rule.html

- Advisory Committee web page:

http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/Stakeholder_Meetings.htm

- EPA GHG Reporting Rule web page:

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



Updates

- Rule updates and meeting invitations sent through an email newsletter
- To sign up:
 - List email address on sign-in sheet
 - Email: neil.caudill@ecy.wa.gov



Climate Change
global warming

Questions or Comments?