



Washington's Greenhouse Gas Reporting Rule

WAC 173-441

Fuel Supplier Introductory Meeting

June 8, 2010



Meeting Procedures

Webinar attendees:

- Talk to us by:
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Meeting Procedures

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GHG Reporting Rule – Today's Agenda

- Background information
- What needs to be reported?
- Rule development process
- How to stay involved?
- Questions and discussion



Statute for GHG Reporting Rule

HB 2815* passed in 2008 legislative session

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

*Codified in RCW 70.94.151



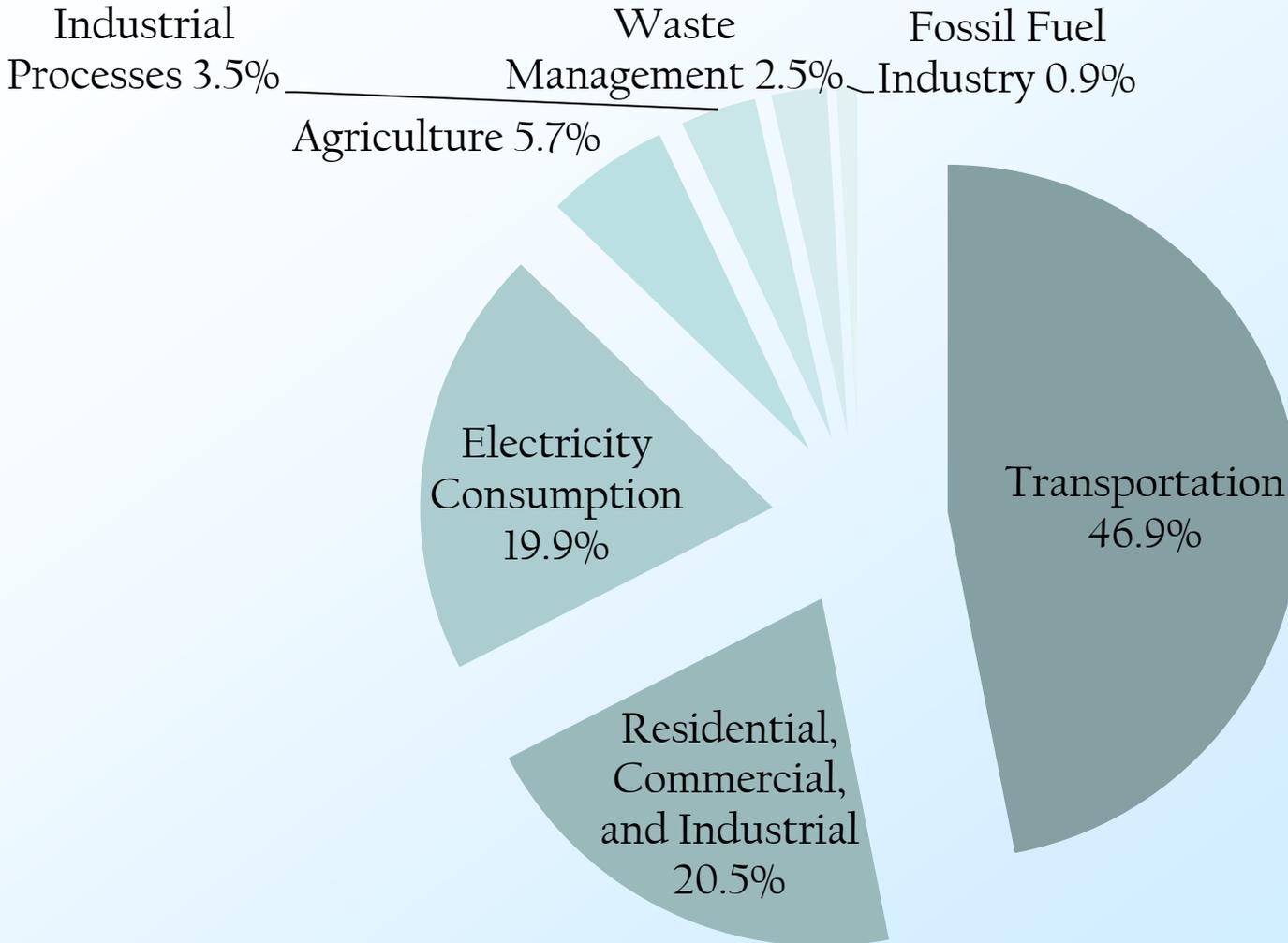
EPA GHG Reporting Rule

EPA released federal rule – September 22, 2009

- Ecology released CR-102 draft on Sept. 21, 2009
- Fundamentally different framework
 - Facility reporting
 - Direct emissions only
 - Upstream reporting: transportation, fugitives, etc



GHG Emissions in Washington by Sector





Statute for GHG Reporting Rule

Substitute Senate Bill 6373, 2010 (SSB 6373)
passed in 2010 legislative session (signed by
governor on March 19, 2010)

- Ecology sponsored legislation to make more consistent with EPA
- Use DOL reporting as basis for fuel suppliers
- Restart rule development



Comparison of ECY and EPA Rules

Issue	SSB 6373 WA Rule	EPA Final GHG Reporting Rule
First Reporting Year	•2009 emissions	•2010 emissions
Report Due Date	•October 31, 2010 (starting 2011, use EPA deadline if also EPA reporter) •Ability to phase until 2012	•March 31, 2011
GHGs Covered in Rule	•6 Kyoto listed GHGs •Can adopt federally listed gases	•6 Kyoto listed GHGs •plus other fluorinated gases
Threshold	10,000 MT CO ₂ e	25,000 MT CO ₂ e (most sources)
Upstream Suppliers	•Transportation only: liquid motor vehicle fuel, special fuel, or aircraft fuel	•More fuel types – transport, stationary, liquid, solid, gas, etc •High GWP/industrial gas suppliers •Vehicle engine manufacturers
Protocols	“Consistent” with EPA	Sector specific
Biomass	•Included in threshold •Reported separately	•Not included in threshold •Reported separately
Emissions Reported	Direct emissions	Direct emissions
Level of Reporting	Facility level	Facility level



Fuel Supplier Reporting Framework

- Use DOL reporting as basis for fuel suppliers
 - Reporting responsibility based on those who file periodic tax reports to DOL (not based on taxes)
 - Not required to use additional data for calculations
 - If DOL shares confidential info with Ecology, it will stay confidential
- Most likely report directly to Ecology
- Calendar year reporting
- Independent from facility reporting



Who Must Report

Required to file periodic tax reports to DOL:

- Supplier or importer of motor vehicle fuel (RCW 82.36.010); or
- Supplier or importer of special fuel (RCW 82.38.020); or
- Distributor of aircraft fuel (RCW 82.42.010).



Who Must Report – Persons

- Supplier – fuel into WA using the bulk transfer-terminal system
- Importer – fuel into WA using a means other than the bulk transfer-terminal system
- Distributor of aircraft fuel – sale of aircraft fuel to any dealer or any dealer from whom tax has not been collected



Who Must Report – Fuels

Used to propel a vehicle:

- Motor vehicle fuel – gasoline, ethanol, other inflammable liquids, or a blend
- Special fuel – diesel fuel, biodiesel, propane, natural gas, kerosene, etc (some exclusions for dyed fuels)
- Aircraft fuel – aviation gasoline, jet fuel, etc



Reporting Threshold

≥ 10,000 MT CO₂ per calendar year

- Based on fuels you supply
- Statewide – all eligible fuels supplied in Washington
- Biofuels included
- Carbon dioxide only, do not report other greenhouse gases
- Assumes complete combustion or oxidation



Fuel Use to Trigger Threshold

Fuel Type	Emissions Factor (kg CO ₂ / gallon)	Approximate Fuel Sold in WA to Meet 10,000 MT CO ₂ Threshold (gallons / year)*
Gasoline	8.960	1,100,000
Ethanol	5.767	1,700,000
Diesel	10.23	970,000
Biodiesel	9.421	1,000,000
Jet Fuel	9.750	1,000,000
Aviation Gasoline	8.310	1,200,000

* The threshold is 10,000 MT CO₂e, these volumes are approximate and are for informational purposes only. Any of the values listed are enough to require reporting.



Reporting Schedule

- Reporting starts with 2010 emissions reported in 2011
 - Statute starts with 2009 emissions reported in 2010, but Ecology plans to use phasing option for fuel suppliers
- Reports due no later than October 31st of the year after emissions occur
 - Other reports due March 31st of the following year, may use that date for consistency
- 1st report due March 31st or October 31st, 2011



Timeline

Event	Approximate Timeframe
SSB 6373 signed by Governor	March 19, 2010
File new pre-proposal statement of inquiry (CR-101)	May, 2010
First public meetings	June, 2010
New draft rule	Late June, 2010
Second advisory committee meeting	Early July, 2010
File proposed rulemaking (CR-102)	September, 2010
Public hearings and comment period	October, 2010
Adoption (CR-103)	December, 2010
Effective	January, 2011

All dates subject to change



Advisory Committee

- For facility and supplier reporters
- Open to public
- First meeting: June 11, 2010
- Additional meeting early July to review draft language

- More information:

[http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/Stakeholder Meetings.htm](http://www.ecy.wa.gov/programs/air/globalwarm_RegHaze/Stakeholder_Meetings.htm)

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- Email Neil Caudill: neil.caudill@ecy.wa.gov



Want to learn more?

- Ecology contact:

Neil Caudill

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360-407-6811

- Washington GHG Reporting Rule webpage:

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

- Fuel Supplier GHG Reporting webpage:

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

- EPA GHG Reporting Rule webpage:

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



Climate Change

global warming

Questions or Comments?