

A CEP Preprint. To be published in the October 2009 issue of *Chemical Engineering Progress*. © 2009 AIChE

REGULATIONS

EPA Finalizes GHG Reporting Rule

The U.S. Environmental Protection Agency (EPA) has issued its final rule for mandatory reporting of greenhouse gas (GHG) emissions from large emitters. The regulation covers approximately 10,000 facilities that emit 25,000 m.t. or more of carbon dioxide equivalent (CO₂e) per year — which represents about 85% of the total U.S. GHG emissions. Most small business would fall below the 25,000 m.t./yr threshold and would not be covered. The first reports are due on Mar. 31, 2011, for the 2010 calendar year.

The EPA received nearly 17,000 written comments on the proposed rule (*Federal Register*; Apr. 10, 2009, p. 16558) and heard public hearing testimony from about 60 people. The final rule incorporates some key changes in response to that input, including:

- *applicability*. The number of source and supply categories that must report under the rule has been reduced, and the following are not covered at this time: electronics manufacturing, ethanol production, fluorinated GHG production, food processing, industrial landfills, magnesium production, oil and natural gas systems, sulfur hexafluoride (SF₆) from electrical equipment, underground coal mines, wastewater treatment, and suppliers of coal. Research and development activities are exempt from reporting.

- *combustion sources*. Exemptions for unconventional fuels, flares, hazardous wastes, and emergency equipment

have been added. The need for mass-flow monitors for some units or fuels has been reduced, and more facilities will be allowed to aggregate reporting of emissions from smaller units rather than report emissions from each individual unit.

- *measuring and monitoring equipment and procedures*.

Reported emissions for the period of January–March 2010 may be based on the best available data in lieu of the required monitoring methods; sources may file a request to extend this period, but not beyond 2010. To reduce the need for facilities to install new monitors, several subparts of the regulation allow additional monitoring options, revised monitoring locations, or engineering calculations. For fuel combustion and some other source categories, the required frequency for sampling and analysis has been reduced. Calibration requirements for flowmeters and other monitoring devices have been added, including a 5% accuracy specification.

- *exiting the program*. A mechanism has been added whereby sources may cease annual reporting if they reduce their GHG emissions to below 25,000 m.t./yr for five consecutive years or below 15,000 m.t./yr for three years, or if they shut down the GHG-emitting process.

The EPA says this new reporting system will provide a better understanding of where GHGs are coming from. “The American public, and industry itself, will finally gain critically important knowledge, and with this information we can determine how best to reduce those emissions,” says EPA Administrator Lisa P. Jackson.