

MEMORANDUM

To: Suzanne Kocchi, USEPA Headquarters, Mail Code: 6207J, Washington, DC

From: Ruth Mead and Darcy Wilson, Eastern Research Group, Inc.,
Morrisville, NC

Date: January 27, 2009

Subject: Review of Existing State Greenhouse Gas Reporting Rules

The purpose of this memorandum is to document the results of Eastern Research Group's (ERG's) review of existing state mandatory greenhouse gas (GHG) reporting rules. The information reviewed for each applicable state GHG reporting rule included:

- Coverage (sources and thresholds),
- Gases,
- Calculation and monitoring method requirements,
- Reporting level (unit, process, facility), and
- Reporting frequency.

The reporting rules were reviewed for the following states:

- California (CA)
- Connecticut (CT)
- Colorado (CO)
- Delaware (DE)
- Hawaii (HI)
- Iowa (IA)
- Massachusetts (MA)
- Maryland (MD)
- Maine (ME)
- North Carolina (NC)
- New Jersey (NJ)
- New Mexico (NM)
- Oregon (OR)
- Virginia (VA)
- Washington (WA)
- Wisconsin (WI)
- West Virginia (WV)

Summary of Existing State GHG Rules: January 27, 2009

State	Status	Coverage	Gases	Methods	Level	Frequency
CA	Starts 2009, with 2008 data reported	Cement plants, power generation and retail, cogeneration plants, oil refineries, hydrogen plants, and large combustion sources emitting over 25,000 metric tons per year of CO ₂ .	CO ₂ , CH ₄ , N ₂ O, SF ₆ , and HFCs	Part 75 data for Title IV units; CCAR protocols; API protocols; EPA, IPCC/EU protocols for storage tanks and wastewater.	Unit/Process/Facility	Annual
CT	Started in 2006, with 2005 data reported. Electricity generators: starts in 2009 (proposed 2007).	Title V sources*; electricity generators >25 MWe	6 GHGs (CO ₂ , CH ₄ , N ₂ O, SF ₆ , PFCs and HFCs)	CO ₂ , N ₂ O and CH ₄ emissions calculated by CT DEP using activity data already collected in the annual emissions statement. Facilities provide SF ₆ , HFC, and CFC data. CEMS for electricity generators.	Unit/Facility	Annual; quarterly for electricity generators
CO	Executive order signed in 2008, with 2005 as the base year for reductions.	Colorado Department of Public Health and Environment to develop reporting regulations; utilities	Mandatory reporting rules to be drafted in 2009	Existing industry-specific tools (TCR) for quantifying GHG emissions.	Mandatory reporting rules to be drafted in 2009	Annual
DE	Started in 2005	Any facility that emits NO _x or VOCs pollutant over its reporting threshold must also report GHGs	6 GHGs	Existing industry-specific tools for quantifying GHG emissions.	Unit	Every 3 years
HI	Starts 2012	Under development	Under development	Under development	Under development	Under development
IA	Started in 2008, with 2007 data reported	Title V sources and ethanol facilities	CO ₂ , CH ₄ , N ₂ O	Direct GHGs calculated automatically from fuel consumption; stack emissions also reported.	Facility	Annual
MA	Electricity generators: start reporting in 2009; other sources: will start in 2010 with 2009 data reported.	Initially: EGUs serving a generator with capacity ≥ 25 MW; next phase: Title V sources and sources emitting > 5,000 CO ₂ e.	CO ₂ in 2010, next phase 6 GHGs	CEMS for electricity generators; existing industry-specific tools for other sources.	Unit/Facility	Annual

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State	Status	Coverage	Gases	Methods	Level	Frequency
MD	Started in 2008, with 2007 data reported	Title V sources; fossil fuel-fired (>50% of heat input from fossil fuel) EGUs serving a generator with nameplate capacity \geq 25 MW	6 GHGs	Existing industry specific tools; CEMS for electricity generators.	Unit/Process/Facility	Annual
ME	Started in 2005, with 2004 data reported	Any facility that emits any criteria pollutant over its reporting threshold must also report GHGs; all electrical power transmission and distribution plants that emit any amount of sulfur hexafluoride (SF6); and all greenhouse gas manufacturing facilities.	6 GHGs	Existing industry-specific tools for quantifying GHG emissions; will accept any GHG emission factor with proper documentation. De minimis level of 1 ton of CO ₂ e.	Facility	Annual
NC	Starts in 2009, with 2008 data reported	Title V sources	6 GHGs	Existing industry-specific tools for quantifying GHG emissions.	Unit/Process/Facility	Annual
NJ	Started in 2004, with 2003 data reported. Reporting starts in 2010 for 2009 data for additional sources.	Title V sources over threshold; smaller minor, non-Title V sources already subject to Emission Statement report in 2006. In 2010: non-major point sources, supplier/distributor fuel use data, and electricity import/export.	CO ₂ and CH ₄ ; by 2010 6 GHGs for major sources; non-CO ₂ for non-major sources.	Monitoring guidance provided - favors direct measurement for large sources; AP-42 and other EPA guidance. Major sources: zero thresholds for non-CO ₂ gases. Non-major threshold based on 2,500 tons/year CO ₂ e.	Facility	Annual
NM	Starts in 2009, with 2008 data for large facilities. Smaller facilities phased in.	Title V sources, including power industry >25 MW and all oil refineries and cement plants	CO ₂ only in 2009. CO ₂ and CH ₄ in 2010. 6 GHGs for large facilities by 2011.	Simplified methods for measuring de minimis (less than 5% of inventory). Detailed estimation methods for other sources. Any facility may choose to meet requirements by registering emissions with The Climate Registry or CCAR.	Process/Facility	Annual

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State	Status	Coverage	Gases	Methods	Level	Frequency
OR	Starts in 2010, with 2009 data reported	Title V sources; NSPS boilers; cement manufacturing; plywood manufacturing and/or veneer drying; pulp, paperboard, and paper mills, and 40 other categories; facilities with 15 specified SIC codes; solid waste disposal, wastewater treatment, electric generating units, electricity and natural gas transmission and distribution systems that emit >2,500 metric tons of CO ₂ e.	6 GHGs	Existing industry-specific tools for quantifying GHG emissions.	Facility	Annual
VA	Senate Bill 234 drafted in 2008.	Any source or combination of sources that emit ≥ 10,000 tons of CO ₂ e.	6 GHGs	Existing industry-specific tools for quantifying GHG emissions.	Unknown	Annual
WA	Starts in 2010, with 2009 data reported	Any source or combination of sources that emit ≥ 10,000 metric tons of GHGs; and owners/operators of onroad motor vehicle fleets that emit ≥ 2,500 metric tons of GHGs.	6 GHGs	Under development	Facility or fleetwide	Annual
WI	Started in 1993, with 1992 data reported	Any facility emitting over 100,000 tpy of CO ₂ . Includes power plants and large industrial boilers.	CO ₂	Emissions primarily calculated based on fuel use and EPA emission factors	Facility	Annual
WV	Starts in 2008, with 2007 data reported	Any facility already required to report air emissions under other programs that emits pollutants over <i>de minimis</i> levels.	6 GHGs	Existing industry-specific tools for quantifying GHG emissions. Can also provide emissions data submitted under other GHG reporting programs.	Facility	Annual

* CT reporting program may be expanded in the future