

Bill changes will exempt some operations from reporting greenhouse gas emissions

In 2008, the Washington Legislature directed Ecology to develop rules requiring the state's largest sources of greenhouse gases to report their emissions. This law is an important tool for understanding the state's greenhouse gas emissions profile. It also positions the state, emitters and citizens to take part in and benefit from state and federal greenhouse gas reduction programs now and in the future.

Ecology worked with emitters throughout the state to draft the rules for reporting greenhouse gas emissions. Ecology staff also held seven workshops and an online meeting in October 2009 to help possible reporters understand the requirements. More than 300 people took part in those sessions.

The issue

Ecology is in the process of adopting rules required by the existing greenhouse gas reporting law (70.94.151(5)). This process must move forward to comply with the law's intent and its deadlines.

As the rules were developed, Ecology and stakeholders discussed how the reporting program could be streamlined. Changes that improve clarity, ease reporting burden and reduce reporting complexity would make it easier to get accurate, consistent data. They also would make it easier for emitters to comply with reporting requirements in Washington and other jurisdictions in which they operate.

Also, the U.S. Environmental Protection Agency (EPA) adopted greenhouse gas reporting rules in September 2009. Some components of EPA's reporting rules cannot be easily incorporated into the state's rules because of the underlying statutory requirements.

MORE INFORMATION

Summary of major provisions:

- Change from entity-wide to facility-based reporting.
- Eliminate the fleet reporting requirement by requiring fuel suppliers and importers to report emissions from transportation fuels.
- Eliminate the requirement to report indirect emissions.
- Add provisions to ensure continued consistency with federal reporting requirements.
- Add an emergency clause to enact changes quickly.

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The solution

Ecology proposes legislation that will streamline the state reporting requirements and align those requirements more closely with EPA rules.

Ecology's proposal

- Change from entity-wide to facility-based reporting. This ensures that Ecology receives the same emissions data reported to EPA from those who will report to both.
- Eliminate reporting by individual fleets and instead require fuel suppliers and importers to report emissions from transportation fuels, using the same information provided to the Department of Licensing.
- Delete requirements to report indirect emissions and to establish de minimus emissions. These are no longer required with facility-based reporting.
- Expand the list of greenhouse gases to include gases added by Congress or included in EPA's reporting regulation, and require that the department periodically review its rules. This will allow the state to stay current with the federal requirements.
- Add an emergency clause to enact these changes as quickly as possible because reporting begins in 2010.

Preliminary work indicates that stakeholders are likely to agree with the proposed changes. In fact, they proposed many of the changes.

How it will work

Current law requires greenhouse gas emissions reporting to begin in 2010 for 2009 emissions. Ecology's legislation would take effect as quickly as possible to prevent unnecessary effort by entities that won't be required to report. It also would jump-start work to amend the state reporting regulation to effect changes for the 2010 and 2011 reporting periods.

How it will benefit Washington

These changes respond to stakeholders' concerns. They will streamline Washington's existing reporting requirements; prevent duplicative reporting for those who must also report to EPA; and, if passed quickly, will prevent unnecessary effort by entities that will no longer be required to report.

More information

See Ecology's Climate Change Web site: <http://www.ecy.wa.gov/climatechange/index.htm>