

REVISIONS TO EMISSIONS REPORTING REQUIREMENTS

STATUS:

(May be affected by Clear Skies Legislation)

- Clean Air Interstate Rule (CAIR) to be promulgated as final rule in mid-March.
- Air Emissions Reporting Requirements (AERR) to be published as a proposed rule at the same time.

CAIR EMISSION REPORTING REQUIREMENTS (PROMULGATED)

- **Ozone Related Provisions**
 - For States subject to CAIR because of contributions to ozone nonattainment in other states, a new requirement is to report for 2008 and each year thereafter the ozone-season and summer day NO_x emissions, plus a set of specified other data elements, for all sources subject to new controls adopted specifically to meet the CAIR requirements related to ozone, unless the sources participate in an EPA-administered emissions trading program. (In contrast, the pre-existing CERR has a size cutoff for annual reporting.)
 - For any of these States that are not already included in the NO_x SIP Call, beginning in 2008, a new requirement is that they report NO_x emissions during the 5-month ozone season from all sources every three years.
- **PM_{2.5} Related Provisions**
 - States subject to CAIR because of contributions to PM_{2.5} nonattainment in another state must report to EPA each year, beginning in 2008, annual NO_x and SO₂ emissions, plus a set of specified other data elements, for all sources subject to new controls adopted specifically to meet the CAIR requirements related to PM_{2.5}, unless the sources participate in an EPA-administered emissions trading program. (In contrast, the pre-existing CERR has a size cutoff for annual reporting.)
- **Special 2007 NO_x SIP Call Emission Inventory**
 - Requirement eliminated.

AERR EMISSIONS REPORTING REQUIREMENTS (PROPOSED)

- **120 Day Comment Period**
 - Request for public hearing. Please decide early.
 - Identification of New Emissions Related Data Requirements (see below). Please decide early.
- **Provisions apply to all States**
- **Unifies all emission reporting requirement details in subpart A**
- **Definition of a point source**

- We are proposing to base the requirement for point source format reporting on whether the source is a major source under 40 CFR part 70 for the pollutants for which reporting is required, i.e., for CO, VOC, NO_x, SO₂, PM_{2.5}, PM₁₀ and ammonia but without regard to emissions of hazardous air pollutants. We are proposing that this new requirement begins with the 2008 inventory year.
- **Provisions related to report due dates**
 - Harmonizing report due dates under the NO_x SIP Call and the CERR. Currently the NO_x SIP Call requires reports due 12 months after the end of the reporting year; CERR specifies 17 months after the end of the year. We are proposing to move the June 1, reporting requirement to the previous December 31. The first reports due under this proposal would be for the year 2008 to be reported by December 31, 2009. We are soliciting comment on an alternative of requiring that point sources be reported on December 31 and other sources on June 1.
 - Accelerating report due dates. We are proposing that the reporting schedule be further accelerated for the triennial year 2011 and all following years by requiring that point sources be reported within six months from the end of the calendar year, i.e., by June 30 of the year following. Reporting on all other sources would be required within twelve months, i.e., by December 31 of the year following.
- **Biogenic Emissions**
 - We propose to remove a requirement in the existing CERR for reporting annual and typical ozone season day biogenic emissions.
- **Reporting Emission Model Inputs**
 - We are proposing a new provision which would allow States the option of providing emissions inventory estimation model inputs in lieu of actual emissions estimates, for source categories for which prior to the submission deadline EPA develops or adopts suitable emissions inventory estimation models and by guidance defines their necessary inputs. We are inviting comment on whether States should be required to provide model inputs for source categories for which they have utilized a widely available emissions model.
- **Reporting Summer Day Emissions**
 - We are proposing to retain the requirement for reporting of summer day emissions from all sources (except biogenic sources) at 3-year intervals, but to restrict it to only States with ozone nonattainment areas or for which EPA has made a finding of significant contribution to ozone nonattainment in another State, e.g., only the NO_x SIP call states, states subject to CAIR for reasons of ozone, and any states found to contribute

significantly in similar rulemakings of 126 petition actions. We are also proposing to be less prescriptive about whether “summer day” emissions are for a typical work day or some other day of the week.

- **Reporting Winter Work Weekday Emissions**
 - We are proposing to delete the existing requirement that all States report emissions for a winter work week day.
- **New Data Elements**
 - We are proposing to add several required data elements in the proposed rule text. These are contact name, contact phone number, emission release point type, control status, emission type, and method accuracy description (MAD) codes. These changes bring the required data elements more into line with the NIF.
- **Identification of New Emissions Related Data Requirements**
 - We are inviting comment on whether or not additional emissions related data should be required. If new emissions related data requirements are identified by commenters, then EPA may choose to issue a SNPR for this proposed rule detailing specific requirements.
- **Revisions to Specific Data Elements**
 - Harmonizing data element definitions between NO_x SIP Call and CERR. We are proposing to combine the separate lists of required elements from the NO_x SIP Call and CERR into a single new list of required data elements. A few data elements are proposed to be eliminated. We propose that these relatively minor changes become applicable starting with the first required emissions reports following the promulgation of the final rule.
 - Elimination of certain data elements. There are a number of currently required data elements that have been kept in the proposed rule text, but on which we invite comment as to whether they should be dropped in the final rule. These are heat content (fuel), ash content (fuel), sulfur content (fuel) for fuels other than coal, activity/throughput, hours per day in operation, days per week in operation, weeks per year in operation, and start time in the day.
 - Stack parameter reporting. At present, States are required to report three particular data elements for point source stacks: stack diameter, exit gas velocity, and exit gas flow rate. This is a redundant requirement, since any one of these can be calculated from the other two. We invite comment on whether and which of these to drop from the required list of data elements, if any.
 - Reporting one-third of emissions each year. We are proposing to modify the requirement that if States obtain one-third of their necessary emissions estimates from point sources and/or prepare one-third of their non-point or mobile source emissions estimates each year on a rolling basis, they

should submit their data as a single package on the required every-third year submission date.

- **Definitions**
 - Some of the definitions have been revised.