**340-215-0040**

**Greenhouse Gas Registration and Reporting Requirements**

(1) Air contamination sources. Any owner or operator required to register and report under OAR 340-215-0030(2) must:

(a) Report the source’s direct emissions of greenhouse gases during the previous year, excluding emissions from categorically insignificant activity as defined in OAR 340-200-0020, as follows:

(A) Sources not required to report greenhouse gas emissions to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98 may exclude all emissions from categorically insignificant activity, regardless of whether DEQ-approved reporting protocols would otherwise include the reporting of those emissions;

(B) Sources required to report greenhouse gas emissions to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98 must report emissions from categorically insignificant activity if DEQ-approved reporting protocols include the reporting of those emissions;

(b) Report emissions of CO2 that originate from biomass separately from the source’s other greenhouse gas emissions; and

(c) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by the due date for the annual report for non-greenhouse gas emissions specified in the source’s Title V Operating Permit or Air Contaminant Discharge Permit, or by March 31 of each year, whichever is later.

(2) Gasoline, diesel and aircraft fuel dealers. Any person required to register and report under OAR 340-215-0030(3) must:

(a) Report the type and quantity of the gasoline, diesel or aircraft fuel imported, sold and distributed for use in this state during the previous year, and the greenhouse gas emissions that will result from the combustion of the gasoline, diesel or aircraft fuel; and

(b) Submit annual reports to the Department by March 31 of each year, as follows:

(A) An annual greenhouse gas emissions registration and report pursuant to section (7); or

(B) Copies of the person’s fuel tax reports filed with the Oregon Department of Transportation pursuant to OAR chapter 735, divisions 170 and 176 for fuel imported, sold or distributed during the previous year, provided that the Department may require the submission of additional information if the copies of the reports submitted to the Oregon Department of Transportation are not sufficient to determine greenhouse gas emissions and related information that are otherwise required by this division.

(3) Natural gas suppliers. Any person required to register and report under OAR 340-215-0030(4) must:

(a) Report the type and quantity of the natural gas sold and distributed for use in this state during the previous year, and the greenhouse gas emissions that will result from the combustion of the natural gas; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by March 31 of each year.

(4) Propane wholesalers. Any person required to register and report under OAR 340-215-0030(5) must:

(a) Report the type and quantity of propane imported for use in this state during the previous year, and the greenhouse gas emissions that will result from the combustion of the propane; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by March 31 of each year.

(5) Investor-owned utilities, electricity service suppliers and other electricity suppliers (except consumer-owned utilities). All investor-owned utilities, electricity service suppliers and other persons (except consumer-owned utilities) required to register and report under OAR 340-215-0030(6) must:

(a) Report greenhouse gas emissions from the generation of the electricity that was imported, sold, allocated or distributed to end users in this state during the previous year, regardless of whether the electricity was generated in this state or imported, as follows:

(A) Greenhouse gas emissions from generating facilities owned or operated by the person reporting;

(B) Sulfur hexafluoride (SF6) emissions from transmission equipment owned or operated by the person reporting;

(C) The number of megawatt-hours of electricity purchased by the person reporting, including identifying information, if known, on the seller of the electricity to the person reporting and the original generating facility fuel type or types;

(D) An estimate of the amount of greenhouse gas emissions, using default greenhouse gas emissions factors in Table 1, attributable to electricity purchases made by a particular seller to the person reporting.

(E) An estimate of the amount of greenhouse gas emissions, using a default greenhouse gas emissions factor of 1,100 pounds of carbon dioxide equivalent of greenhouse gases per megawatt-hour, attributable to electricity purchases from an unknown origin or from a seller who is unable to identify the original generating facility fuel type or types.

(F) The number of megawatt-hours of electricity purchased for which a renewable energy certificate under ORS 469A.130 has been issued but subsequently transferred or sold to a person other than the person reporting; and

(G) A multijurisdictional entity reporting under this section (5) may rely upon a cost allocation methodology approved by the Public Utility Commission for reporting emissions allocated in this state; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by June 1 of each year.

(6) Consumer-owned utilities. All consumer-owned utilities required to register and report under OAR 340-215-0030(6) must:

(a) Report greenhouse gas emissions from the generation of the electricity that was imported, sold, allocated or distributed to end users in this state during the previous year, regardless of whether the electricity was generated in this state or imported, as follows:

(A) For electricity purchased from the Bonneville Power Administration, report the number of megawatt-hours of electricity purchased by the utility from the Bonneville Power Administration, segregated by the types of contracts entered into by the utility with the Bonneville Power Administration, and if known the percentage of each fuel or energy type used to produce electricity purchased under each type of contract;

(B) For electricity that was not purchased from the Bonneville Power Administration, but was generated by the consumer-owned utility, report greenhouse gas emissions from the generation of the electricity; and

(C) For electricity that was not purchased from the Bonneville Power Administration, and was not generated by the consumer-owned utility, report the number of megawatt-hours of electricity purchased by the consumer-owned utility, including information, if known, on the seller of the electricity to the consumer-owned utility and the original generating facility fuel type or types; and

(b) Submit an annual greenhouse gas emissions registration and report to the Department pursuant to section (7) by June 1 of each year. A third party may submit the registration and report on behalf of a consumer-owned utility, and the report may include information for more than one consumer-owned utility, provided that the report contains all information required for each individual consumer-owned utility.

(7) Except as provided in section (8), registration and reports must be submitted on paper or electronic forms (or both) issued by the Department, which will require the following information:

(a) Source information such as source name, address, contact person, phone number, and permit number, if applicable;

(b) Emissions of the applicable greenhouse gases, pursuant to DEQ-approved reporting protocols, including but not limited to information such as estimated annual emissions, activity data, emission factors, conversion factors, global warming potential factor, and the emissions calculation methods used to determine emissions; and

(c) A signed statement certifying that the report is accurate to the best of the certifying individual’s knowledge.

(8) Any person required to report greenhouse gases emitted during a year to the United States Environmental Protection Agency pursuant to 40 CFR, Part 98 may submit a copy of that report to the Department in lieu of the registration and report required by section (7) for greenhouse gases emitted during the same year, provided that the Department may require the submission of additional information if the copy of the report submitted to the United States Environmental Protection Agency is not sufficient to determine greenhouse gas emissions and related information that are otherwise required by this division. The purpose of this section is to eliminate duplicative reporting where possible, but to retain the Department’s authority to require reporting of information that is required by this division but not submitted in a report to the United States Environmental Protection Agency.

(9) The Department shall propose reporting protocols for use pursuant to this division and shall approve reporting protocols after holding a 30 day public comment period. The Department shall maintain a reference list of DEQ-approved reporting protocols to assist persons required to register and report under OAR 340-215-0030.

(10) Any person required to report under this division must retain all production information, fuel use records, and emission calculations used to prepare the greenhouse gas annual report. These records and greenhouse gas annual reports must be retained for a minimum of 5 years.

Stat. Auth.: ORS 468A.050

Stats. Implemented: ORS 468 & 468A

Hist.: DEQ 13-2008, f. & cert. ef. 10-31-08; DEQ 12-2010, f. & cert. ef. 10-27-10