

Draft Rules – Edits Highlighted

Key to Identifying Changed Text:

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New/inserted text

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340-273-0400

Generation of Compliance Instruments

(1) Each year, DEQ will generate the number of compliance instruments equal to the cap for the calendar year identified in Table 2 in OAR 340-273-9000.

(2) Additional 2025 compliance instruments. DEQ will add together the 2022, 2023, and 2024 emissions that would have been considered covered emissions as described in OAR 340-273-0110(3)~~(B)~~ and OAR 340-273-0110(4) for all fuel suppliers that individually, or as a group of related entities, had **emissions that would have been considered** covered emissions greater than or equal to 200,000 MT CO₂e from any calendar year between 2018 and 2022, and DEQ will compare these total emissions to a benchmark of 81,003,850 MT CO₂e. If the total emissions from those fuel suppliers are at least 10,000 MT CO₂e below the benchmark, DEQ will generate additional compliance instruments equal to the difference between those total emissions and 81,003,850 and will distribute those additional compliance instruments in 2025 as described in OAR 340-273-0420(5).

(3) A compliance instrument is a regulatory instrument and does not constitute personal property, a security or any other form of property.

(4) Compliance instruments may not be divided into fractions.

Statutory/Other Authority: ORS 468.020, 468A.025 & 468A.040

Statutes/Other Implemented: ORS 468.020, 468A.025, 468A.040, 468.035, 468A.010, 468A.015 & 468A.045

History:

DEQ 18-2024, adopt filed 11/22/2024, effective 11/22/2024