

SENATE BILL REPORT

SB 5321

As of February 7, 2013

Title: An act relating to harmonizing state greenhouse gas reporting requirements with federal requirements.

Brief Description: Harmonizing state greenhouse gas reporting requirements with federal requirements.

Sponsors: Senator Ericksen.

Brief History:

Committee Activity: Energy, Environment & Telecommunications: 2/05/13.

SENATE COMMITTEE ON ENERGY, ENVIRONMENT & TELECOMMUNICATIONS

Staff: Jan Odano (786-7486)

Background: The Department of Ecology (Ecology) must adopt rules for reporting greenhouse gas (GHG) emissions. Facilities emitting 10,000 metric tons of GHG per year or more and fuel suppliers of motor vehicle fuel, special fuel, or aircraft fuel products equivalent to at least 10,000 metric tons of carbon dioxide per year must report.

Ecology must amend its GHG reporting rules when necessary to be consistent with federal rules to avoid duplicative reporting. Beginning in 2011, a person who must report GHG emissions to the U.S. Environmental Protection Agency (EPA) must concurrently submit the reported data to Ecology. Ecology must share its GHG reports with the local clean air agency in which the reporting facility or supplier operates.

Ecology sets a reporting fee based on its costs to administer the program and the number of facilities and suppliers reporting.

Under EPA's rule, fuel suppliers and facilities that emit 25,000 metric tons of GHG emissions per year must submit annual reports. In September 2009, EPA adopted its Final Mandatory GHG Reporting Rule. The rule became effective January 1, 2010, and annual reporting began March 2011 for emissions data collected in 2010.

Summary of Bill: The requirements for adopting GHG reporting rules and fee provisions are deleted.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A person who must report GHG emissions to EPA must submit this report to Ecology.

Ecology must share EPA's GHG reports with local clean air agencies.

Appropriation: None.

Fiscal Note: Requested on February 1, 2013.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The state's GHG reporting adds costs to businesses. The reporting requirements were adopted in anticipation of other actions that have not occurred. Reporting federally could be harmonized to ensure benefits and credits for early actions and energy efficiency. The bill would align current reporting and make it fit to state requirements without duplication. It would alleviate a great deal of burden on some industries.

CON: This would limit the state from collecting critical information and reduce access to accurate information. The state would lose a lot of GHG data. The specific state information is needed to determine how to reduce GHG emissions. The report provides essential information to understanding climate concerns and is an important tool to target the appropriate sectors. The report allows the state to influence federal decisions. Businesses that know their GHG emissions have a better understanding of the energy efficiency and can make adjustments accordingly.

Persons Testifying: PRO: Tim Boyd, Boise Paper, Boise Cascade, Vaagen Brothers Lumber; Brandon Housekeeper, Assn. of WA Business.

CON: Darcy Nonemacher, WA Environmental Council; Miguel Perez Gibson, Climate Solutions; Stuart Clark, Ecology.