

## New EPA reporting deadlines coming up

*McAfee & Taft Healthcare Industry Alert - January 18, 2011*

By [Mary Ellen Ternes](#)

Have you determined whether or not your hospital or medical care facility needs to report greenhouse gas emissions pursuant to EPA's October 30, 2009, mandatory greenhouse gas (GHG) emissions reporting rule? Have you heard about this 2009 rule? Reporting deadlines are coming up March 31, 2011, with an earlier registration deadline of January 30, 2011, for many designated categories, including one general category: stationary fuel combustion sources.



Stationary fuel combustion sources include facilities utilizing any device that combusts solid, liquid, or gaseous fuel generally to produce electricity, steam, useful heat, or energy for industrial, commercial, or institutional use, or reduce the volume of waste by burning off combustible matter. Devices within the scope of this rule include, but are not limited to, boilers, combustion turbines, engines, incinerators, and process heaters. The rule specifically excludes portable equipment, emergency generators, emergency equipment and pilot lights, among other exclusions.

Facilities that heat a lot water or otherwise produce useful heat or energy need to confirm whether they are required to report pursuant to the rule. An easy check for most facilities that utilize boilers to heat water would be to add up their boilers maximum rated heat input capacity, i.e., the maximum firing rate indicated by the boiler manufacturer. If the aggregate maximum rated heat input capacity for all the combustion devices utilized by your facility is less than 30 million btu/hr, then your facility does not need to report. If the total is over 30 million btu/hr, then look at the type of fuel used. If the only fuel used in devices targeted by the rule is natural gas, and the maximum rated heat input capacity is less than 50 million btu/hr, then your facility probably does not need to report. However, if these heat input thresholds are exceeded, you'll need to track your fuel bills and determine whether your facility needs to report greenhouse gas emissions to EPA. You'll need to report your emissions if they exceed 25,000 metric tons of carbon dioxide equivalent emissions annually, calculated pursuant to equations provided in the rule.

If your facility is subject to EPA's GHG reporting rule and fails to submit its reports, your company is risking EPA enforcement action and possible Clean Air Act penalties up to \$37,500 per day per violation. So, you probably ought to check! And you should check now. Entities required to report must submit a valid Certification of Representation through EPA's electronic Greenhouse Gas Reporting Tool (e-GGRT) by January 30, 2011.

Details on registration can be found [here](#).

To read about these upcoming reporting deadlines and other rule requirements, [click here](#) to review the EPA rules, access guidance and use EPA's "applicability tool."

*For more information or if you need assistance with GHG reporting, please contact Mary Ellen Ternes at (405) 552-2303 or [maryellen.ternes@mcafeetaft.com](mailto:maryellen.ternes@mcafeetaft.com). Mary Ellen is an environmental lawyer and author of [EPA's Mandatory Greenhouse Gas Reporting Rule Ebook](#), published by LexisNexis.*

## **LINKS**

Mary Ellen Ternes' Bio

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