Air Emissions Reporting Requirements (AERR) – *Misconceptions*

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Overview

- AERR proposal summary
- Selected misconceptions about AERR proposal related to
  - Role of state/local/tribe (SLT)
  - Trivial emissions
  - Air permits and emissions
  - Use of the Combined Air Emissions Reporting System (CAERS)
  - Small entities
  - Performance test reporting
  - Reporting about prescribed burning
  - Costs and benefits

Key Provisions of AERR Proposal

- Require owners/operators to report point source hazardous air pollutant (HAP) emissions
  - States/locals/tribes (SLTs) can report on their behalf
  - Emissions reporting thresholds based on risks associated with pollutants
- Require owners/operators outside of states/locals to report emissions of criteria air pollutants/precursors (CAPs) and HAP
- Implement other point source reporting changes such as emissions from on-site mobile sources, applicable regulations
- Require owner/operators to report performance test and performance evaluation data where those tests are required by federal or state regulations
- Require states/locals to report certain prescribed fire activity data such as acres burned, dates, and locations
- For nonpoint sources, report activity data and emissions (optionally) and require documentation when non-EPA methods are used

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Misconception 1:
EPA wants to cut States out of HAP emissions collection

- Comment summary: Proposal would make it harder for SLTs to report HAP, so EPA must not want SLTs to be involved

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Misconception 2: EPA intends to collect trivial levels of emissions no matter the burden

- ▶ Comment summary: Reporting "all HAP" emissions from unpermitted parts of a facility would add unwarranted burden

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Misconception 3:
Air permits define "insignificant" for emissions inventory purposes

- ▶ Paraphrasing comments related to this:
  - ▶ AERR should define insignificant activities and emissions levels consistent with definitions used for permitting
  - ▶ States collect emissions data only for those activities listed in permits

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Misconception 4: EPA is forcing States to use CAERS

- Related comment summaries:
  - EPA is effectively imposing the use of CAERS because of short proposed timelines
  - EPA did not include an option for states to report emissions directly to the Emissions Inventory System (EIS)

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Misconception 5:
EPA has not appropriately addressed burden for small entities

- Comment summary: EPA should provide additional support and guidance to small entities, especially if they are not already subject to reporting

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Misconception 6:
The Emissions Reporting Tool (ERT) does not support my test method

- Commenters said:
  - The ERT does not support all necessary tests and parameter inputs
  - My stack testing firm is not familiar with the ERT

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Misconception 7: Prescribed fire data are difficult to collect and not useful

- ► Related comment summaries:
  - ► Some states have no way to acquire data on prescribed burning and creating a process would be burdensome and may be of little benefit
  - ► This burden includes updating laws, data quality assurance, system maintenance and management
- ► What EPA has learned by following up on comments:
  - ► The National Association of State Foresters (NASF) has implemented and wants to improve fire data collection tools via funding from the Inflation Reduction Act (IRA)
  - ► The national Interagency Fire Occurrence Reporting Modules (InFORM) also shows promise for data sharing
  - ► EPA has discussed the possibility of data sharing with NASF in the future
  - ► Prescribed fires data can assist states with future exceptional events demonstrations for the 2024 $PM_{2.5}$ standard

Misconception 8:
The AERR proposal is not justifiable because of benefits are not quantified

- ► Comment summary: The lack of quantified benefits means that the costs are not justified

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In Conclusion

▶ The proposed AERR received constructive feedback to inform the final rule

▶ EPA intends to continue dialog with stakeholders to implement a final rule:

  ▶ Build relationships and learn from each other

  ▶ Develop and provide useful guidance, training, and industry outreach materials

  ▶ Create the Small Entity Emissions Estimation Tool

  ▶ Continue to find and implement streamlining opportunities for data collection

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