

Greenhouse Gas Reporting Program and Third-Party Verification 2019 Rulemaking

Advisory Committee Charter

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DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.



State of Oregon
Department of
Environmental
Quality

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

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Policy Objectives and Scope of the Committee

The policy objective of the Greenhouse Gas Reporting Program and Third-Party Verification 2019 (GHG 2019) Rulemaking is to:

- Modify the Greenhouse Gas Reporting Program (Division 215) to provide a better understanding of greenhouse gas emissions in the state and improve the ability to track progress toward meeting emission reduction goals.
- Streamline the reporting requirements of the Greenhouse Gas Reporting Program (Division 215) and the Clean Fuels Program (Division 253) to enable entities that are subject to both programs to report into a single system.
- Require that some data that is submitted to DEQ to comply with the Greenhouse Gas Reporting Program and the Clean Fuels Program be verified by independent third-parties.
- Amend Division 12 to classify violations and establish or clarify enforcement criteria for violations of the Greenhouse Gas Reporting Requirements.

This advisory committee will also consider the fiscal and economic impact of the proposed rule changes as directed by ORS 183.333 including:

- Whether the proposed rule changes will have a fiscal impact, and if yes, what the extent of that impact will be, and
- Whether the proposed rule changes will have a significant adverse impact on small businesses, and if so, recommendations on compliance with ORS 183.540¹.

Committee Meetings

The committee will meet twice – on Sept. 11, 2019 and Oct. 9, 2019, both in Portland. DEQ will strive to post the meeting agenda and materials one week prior to the meetings. The committee meeting will be:

- Accessible via a call-in number or webinar
- Open to the public
- Posted to the rulemaking webpage, including meeting materials and agenda
- Advertised on DEQ's webpage calendar
- Emailed to the following GovDelivery lists: Greenhouse Gas Reporting, Oregon Clean Fuels Program, Rulemaking

¹ If the statement of cost of compliance effect on small businesses required by ORS 183.335 (2)(b)(E) shows that a rule has a significant adverse effect upon small business, to the extent consistent with the public health and safety purpose of the rule, the agency shall reduce the economic impact of the rule on small business by: (1) Establishing differing compliance or reporting requirements or time tables for small business; (2) Clarifying, consolidating or simplifying the compliance and reporting requirements under the rule for small business; (3) Utilizing objective criteria for standards; (4) Exempting small businesses from any or all requirements of the rule; or (5) Otherwise establishing less intrusive or less costly alternatives applicable to small business.

Roles

Facilitator

The facilitator will:

- Encourage open, candid and robust dialogue while ensuring that all perspectives are heard
- Ensure that the committee stays focused on the agenda and on intended outcomes of the meeting
- Ensure that all members adhere to the process and ground rules
- Facilitate comments and input from all meeting attendees

Committee Members

In convening this committee, DEQ has appointed members that reflect the range of entities that are both directly and indirectly affected by proposed changes to the rules. Representatives should be able to consider the technical, policy, fiscal and economic impacts of the program for the organization that they represent. The committee includes members who represent:

- Electric and natural gas suppliers
- Fuel importers
- Large stationary sources that are subject to the GHG reporting rules
- Non-governmental organizations that have interest in the regulations

A complete roster of committee members is located on the rulemaking webpage.

It is critical for the appointed member or their designated alternate to attend both meetings. In addition, the expectation is that if the appointed member for the organization will not be reviewing the regulations themselves, then they designate someone to do so. Careful review of the proposed rule changes will make for a more constructive rulemaking process.

Committee members shall:

- Prepare for and attend the meetings to ensure continuity throughout the process
- Consult with constituencies to inform them of the process and gather their input
- Comment constructively and in good faith
- Stay focused on the specific topics for each meeting
- Be courteous by not engaging in sidebar discussions
- Provide DEQ staff with copies of relevant research and documentation cited during the meeting
- Avoid representing to the public or the media the views of any other committee member or the committee as a whole

Non-Committee Member Attendees

The public is welcome to attend all meetings. The facilitator will manage the meetings to accommodate both members and non-members who wish to provide input, but priority will be given to committee members. There will be time on the agenda dedicated to receiving input from the public.

DEQ Staff

DEQ is committed to making the most effective use of committee members' time by establishing clear goals for the meetings, setting deadlines for when written comments are to be submitted, and providing reasonable access to staff and managers. Here is a list of management and staff from DEQ who are supporting the process:

Name	Position	Responsibilities
DEQ Management Support		
Ali Mirzakhali	Air Quality Administrator	DEQ sponsor
Michael Orman	Manager, Planning Section	Project support
Jeffrey Stocum	Manager, Technical Services Section	Project support
Project Management		
Colin McConaha	Lead, Climate Change Policy	Project manage the rulemaking process. Facilitate meetings
GHG Reporting Program		
Lauren Slawsky	Analyst, Climate Change Policy	Lead for proposed verification rules
Elizabeth Elbel	Analyst, GHG Program & Policy	Lead for proposed GHG reporting rules
Jackson Dougan	Specialist, GHG Reporting	Provide technical assistance for reporting rules
Clean Fuels Program		
Cory-Ann Wind	Lead, CFP Program	Lead for proposed CFP rules
Office of Compliance and Enforcement		
Becka Puskas	Specialist, Environmental Law	Draft enforcement rules
Rulemaking Process		
Emil Hnidey	Coordinator, Air Quality Rules	Support rulemaking process
Communications		
Susan Mills	Specialist, Public Affairs	Media relations
Tim Wollerman	Specialist, Air Communications	Air quality communications

General Committee Rules

GHG 2019 Rulemaking Webpage

All meeting materials will be posted on the GHG 2019 Rulemaking webpage at: <http://www.oregon.gov/deq/Regulations/rulemaking/Pages/rGHG2019.aspx>.

Summary of Input

DEQ will not prepare formal meeting minutes. Rather, a meeting summary will document the highlights of committee discussions and committee members' different perspectives and recommendations. DEQ will strive to post the meeting summary two business days after the meeting. Committee members will also be given up to one week after the meeting to provide any additional written comment. A summary of all written comments received will be posted on the rulemaking webpage.

Decision Making

DEQ will not seek consensus from the committee, nor will the committee be asked to vote, on specific issues. The committee's discussions will be used by DEQ in forming its draft rule, which will then be proposed for broader public review and comments as part of DEQ's rulemaking process.

Public Involvement

All meetings will be open to the public. There will be time on the agenda for non-members to speak.

Once the committee process is complete, DEQ will develop draft rules and conduct a public rulemaking process to seek broader public and stakeholder input. Advisory committee members can also provide additional input to DEQ at this time. DEQ's final rule proposal may be modified based on public comment during the formal public comment period. DEQ intends to take a final proposed rule to the EQC for consideration prior to the end of 2019.

Public Records and Confidentiality

Committee materials, such as formal documents, discussion drafts, meeting summaries and exhibits are public records. Committee communications are **not** confidential and may be disclosed. However, the private documents of individual committee members generally are not considered public records if DEQ does not retain copies.

DEQ Contacts

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