



State of Oregon Department of Environmental Quality

Frequently Asked Questions for Verification Bodies

Oregon GHG Reporting Program and Oregon Clean Fuels Program
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Find answers to commonly asked questions about verification bodies for Oregon's Greenhouse Gas Reporting Program or Clean Fuels Program. Click to navigate to a specific question in the Table of Contents below. If you do not see the answer to your question here, please email us at 3PVerify@deq.oregon.gov. This document is frequently updated with new questions and responses.

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Questions about verification body approval:

How does an organization qualify to become a verification body for Oregon’s Clean Fuels Program or Greenhouse Gas Reporting Program?

Verification bodies must have an approved accreditation in order to apply to provide services in Oregon. For the Oregon Clean Fuels Program, the body must have a current accreditation through the California Air Resources Board’s (CARB) [Low Carbon Fuel Standard \(LCFS\)](#) program. For the Oregon GHG Reporting Program, the body must be accredited through either CARB’s [Mandatory Reporting Rule \(MRR\)](#) program or through the [ANSI National Standards Board’s GHG Validation and Verification Body accreditation](#) program.

What information must be provided by the verification body during the application process?

Oregon’s Administrative Rule 340-272, which outlines the requirements of the third party verification program, requires that verification body applications contain the following, in addition to an approved accreditation:

- A list of all verification staff and subcontractors and a description of their duties and qualifications, including DEQ-approved verifiers on staff. The applicant must demonstrate staff qualifications by listing each individual’s education, experience, professional licenses, accreditations, status as verifier, lead verifier, or sector specific verifier, and other relevant information. A verification body must employ and retain at least two lead verifiers
- A list of any judicial proceedings, enforcement actions, or administrative actions filed against the verification body within the previous five years, with an explanation as to the nature of the proceedings
- Documentation that demonstrates that the body maintains a minimum of \$4 million of professional liability insurance
- Identification of services provided by the verification body, the industries that the body serves, and the locations where those services are provided

- A detailed organizational chart that includes the verification body, its management structure, and any related entities
- The verification body's internal conflict of interest policy that identifies activities and limits to monetary or non-monetary gifts that apply to all employees and procedures to monitor potential conflicts of interest

Is there any cost associated with becoming an approved verification body in Oregon?

There are no fees associated with applying to become a verification body in Oregon. There are also no fees associated with applying for, training, or taking exams to become an approved verifier in Oregon.

Questions about DEQ forms:

What verification forms will DEQ provide on its website, and who is responsible for submitting them?

DEQ will provide the following forms on its 3PV website:

Conflict of interest disclosure: Administered through Adobe Sign and submitted by the responsible entity. Available under "Information for Responsible Entities" for the appropriate program.

Notice of verification services form: Administered through Adobe Sign and submitted by the verification body. Available under both "Information for Verification Bodies" and "Information for Verifiers" for the appropriate program

Verification statement: Administered through Adobe Sign and submitted by the verification body. Available under both "Information for Verification Bodies" and "Information for Verifiers" for the appropriate program. If the verification is for a CFP fuel pathway application, annual fuel pathway report or CFP quarterly reports, the verification statement must also be uploaded to the Oregon Fuels Reporting System using the "Verification Statement" action on the "RptReviews" tab.

Can verification bodies submit the same Conflict of Interest and Notice of Verification Services as are submitted to CARB? Or will they be exclusive to DEQ?

DEQ has its own COI and NOV forms, which are available on our website and administered through Adobe Sign. The Conflict of Interest form is submitted by the responsible entity, while the Notice of Verification Services form is submitted by the verification body.

What is the Oregon approval process for Conflict of Interest (COI) and Notice of Verification Services (NOVS) forms?

DEQ will provide agency administrative approval in writing to all involved parties after reviewing and approving completed forms. Approval of the conflict of interest disclosure must be granted before verification activities can begin.

What is an “insignificant service” for the purposes of conflict of interest disclosure?

The rule does not define an insignificant service other than in relation to other types of services listed. Therefore, best practice would be to disclose any services provided that are not listed as high conflict of interest services and not otherwise specifically exempted.

Does any amount of “insignificant” services create a high conflict of interest?

When disclosing insignificant services, OAR 340-272-0500 (6)(c)(C) asks for an “Explanation of how the amount and nature of work previously performed is such that any member of the verification team’s credibility and lack of bias should not be under question”. So while there is no set amount of insignificant service that automatically triggers high conflict of interest, the amount of services provided still factors in to DEQ’s evaluation. According to the rule, “DEQ may, at its discretion, determine that a high conflict of interest exists when a member of the verification team provided services within the previous five years, but the services were not services that result in a potential for a high conflict of interest according to section (2). If DEQ makes such a determination, it must explain in writing why it believes the work performed creates a high conflict of interest.”

In what situations is an updated conflict of interest form submittal required? In what situations is it not required?

The responsible entity should submit an updated conflict of interest form if:

- It is a new verification year (you can use the same information from last year’s form if nothing has changed)
- There has been any change in organizational structure to the responsible entity or verification body that may introduce new potential conflicts (mergers, acquisitions or divestitures)
- A new person will join the verification team, who was not included on the initial disclosure
- Any other potential conflict of interest situations arise that were not included on the initial disclosure
- Any information on the Notice of Verification Services form has changed since the conflict of interest disclosure was submitted

Conflict of interest must be monitored by both the verification body and the responsible entity for a period of one year following completion of verification, and a new form submitted if new conflicts are introduced during this time.

A new form does not need to be submitted if an individual leaves the verification team.

General verification questions:

Will DEQ reach out to regulated entities in Oregon about their verification requirements in 2022?

Yes, DEQ will reach out to ensure that the entities that are potentially subject to verification for the program understand what is required of them. However, regulated entities are ultimately responsible for complying with the provisions of OAR 340-272, including verification applicability.

Is DEQ planning to allow for virtual site visits if the pandemic continues?

If virtual site visits are a need for the 2022 verification year, DEQ will provide guidance to stakeholders.

Can the same verification body be used to verify information reported to both the CARB Low Carbon Fuel Standard Program and the Oregon CFP? If so, how often must verification bodies be rotated?

Yes. The rotation requirements for verification bodies apply only to Oregon programs. Therefore, a responsible entity may use the verification body they have used in California for six years, beginning with the year of the first Oregon verification.

If a fuel supplier is subject to verification for both the Clean Fuels and Greenhouse Gas Reporting Program, can it use the same verification body for both obligations?

Yes, the same verification body may be used by the responsible entity for both programs as long as the conflict of interest disclosure form is approved. However, third party verification rules contain rotation requirements for verification bodies. These state that a responsible entity may not use the same verification body for more than six consecutive years and may not engage the same verification body again for three years once the six consecutive years have ended. These limits apply regardless of the program. For example, a responsible entity may use a verification body in 2024 and 2025 for CFP reporting. If they decide to use the same verification body for GHG reporting, they may do so for both programs through 2029, but the earliest they may use the same verification body again would be 2033.

The verification body will need to submit separate verification statements for each program's verification obligation.

The verification body may use its professional judgement in determining whether to produce separate verification reports in this situation or combine them into a single document. However, in case DEQ requests the verification report, it should be clear:

- When the verification body is referring to a CFP application/report and when it is referring to a GHG report
- That the verification team conducted a separate assessment of material misstatement for each application/reporting type under investigation
- How the verification body reached the conclusion in the verification statement for each application/reporting type

How long do I need to retain records related to verification?

Records related to verification need to be retained on paper or in electronic format for at least seven years after the verification statement is submitted. Records need to be detailed enough to allow for transparent review of how the verification body reached the conclusion in the verification statement, including independent review. At a minimum, you must retain records of: the initial report or fuel pathway application submitted by the responsible entity to DEQ for which you conducted verification, contracts for verification, verification and sampling plans, verification reports, verification statements, and any other materials developed as part of providing and completing the verification.

How will information within the reporting system be provided to verification bodies and to DEQ?

The long-term intent of DEQ is to provide access and information to verifiers electronically through the Your DEQ Online or Oregon Fuels Reporting System platforms, but regardless of the information delivery system, it is the responsibility of the entity to provide relevant information to the verification body. Given the current timelines of DEQ's IT projects, responsible entities may need to manually transfer information in the initial years of the verification program. As new systems and process are implemented, DEQ will provide access and training to verifiers and responsible entities.

Does DEQ need to approve the sampling plan for a verification?

According to OAR Chapter 340, Division 272, agency pre-approval of a sampling plan is not required. However, the sampling plan must be retained according to the recordkeeping requirements of OAR 340-272-0300(3)(d) and must be made available to DEQ upon request.

Can a verification body subcontract verification services?

Yes, Oregon's rules allow verification bodies to subcontract verification services, subject to the following requirements:

- The verification body must assume full responsibility for verification services provided by subcontractor verifiers
- A verification body may not use subcontractors to meet the minimum lead verifier requirements as specified under OAR 340-272-0210(3)(a)
- A verification body may not use a subcontractor as the independent reviewer
- All subcontractors must apply for and meet the requirements and criteria for DEQ approval under OAR 340-272-0210 and be approved by DEQ under OAR 340-272-0220 in order to provide the verification services for which the subcontractor has been engaged by the verification body

What is an independent reviewer?

The independent reviewer is a lead verifier within the verification body, but not a part of the verification team. The intent of an independent reviewer is to act as a last check on the verification report, so independent reviewers may not participate in planning or performing verification activities for a report they will review. Subcontractors can be verifiers, but cannot be independent reviewers. An independent reviewer must be an approved lead verifier but does not need to be a sector specific verifier.

Are there continuing education requirements for verifiers once they are qualified to perform verification services?

DEQ's verification rules (found in [OAR 340-272](#)) do not require continuing education for lead verifiers. However, the rules do stipulate that the verifier or verification body must notify DEQ in the event of changes related to staffing, accreditation or compliance with Section 272, or if a non-conformance is identified. All Oregon-approved GHG Reporting Program verifiers must maintain accreditation with the California Air Resources Board or ANSI ANAB. They also must update their approval with DEQ every

three years by going through the application and approval process. DEQ reserves the right to require additional training of verifiers as frequently as is deemed required for successful implementation of the program.

Are verifiers-in-training allowed to participate on verification teams in Oregon?

Yes, under the following conditions:

- They are disclosed on the conflict of interest and notice of verification services forms prior to verification
- They are under the direct supervision of the lead verifier at all times
- The verification body meets all other requirements for lead and sector-specific verifiers for the verification services they intend to perform

Can California verifiers-in-training take the Oregon CFP training and exams?

According to OAR 340- 272, being accredited as a verifier in California is required before taking Oregon's training and exams. In California, experience as part of a verification team as a verifier-in-training counts toward the experience requirements should the trainee later apply for their own accreditation.

Can verifiers “upgrade” from verifier to lead verifier or add additional sector-specific approval?

Yes. For verifiers who meet the accreditation requirements for either the GHG Reporting Program or the Clean Fuels Program using a CARB accreditation, the verifier will need to earn the new accreditation with CARB before they may be approved to provide those services in Oregon.

For verifiers who meet the accreditation requirements of the GHG Reporting Program specifically because they are employed by an ANSI ANAB-accredited verification body, the verifier must demonstrate the scope of accreditation the verification body is approved to operate under, and that the verifier has been granted approval for the relevant activities by its verification body.

In the case of process emissions verification for the GHG Reporting Program, DEQ does consider experience when granting approvals. Verifiers must have at least two years of relevant sectoral experience to be approved as a sector-specific verifier for that sector.

Will DEQ publish email addresses of the list of approved verifiers to facilitate networking among verifiers?

DEQ's approved lists of verifiers include the verifier name, employer affiliation, email address, phone number and qualifications.

Will DEQ publish contact information for responsible entities to facilitate marketing for verification? What information for reporters will be available other than the entity name?

DEQ does not publish contact information for responsible entities. A list of registered parties for the Clean Fuels Program is published [here](#), and lists of reporting entities for the GHG Reporting Program are published [here](#).

Alternative formats

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.oregon.gov