

ARS Compliance Tip of the Month

December 29, 2010

Federal Reporting Requirements and 2011 Timeline

First, let me express my best wishes to all ARS clients for a Merry Christmas and Happy New Year.

As we turn the page to 2011, one thing that I have learned is that the early part of the year is typically "front-loaded" with a myriad of environmental compliance activities. Permits and other regulations contain a number of different requirements for filing of reports and other information concerning plant operations, and many of these reports fall due in the early part of the year. This month, I'm going to review for you the various federal environmental requirements and the upcoming due dates. Please remember that various state and other permit reporting requirements may also overlay the federal requirements discussed here.



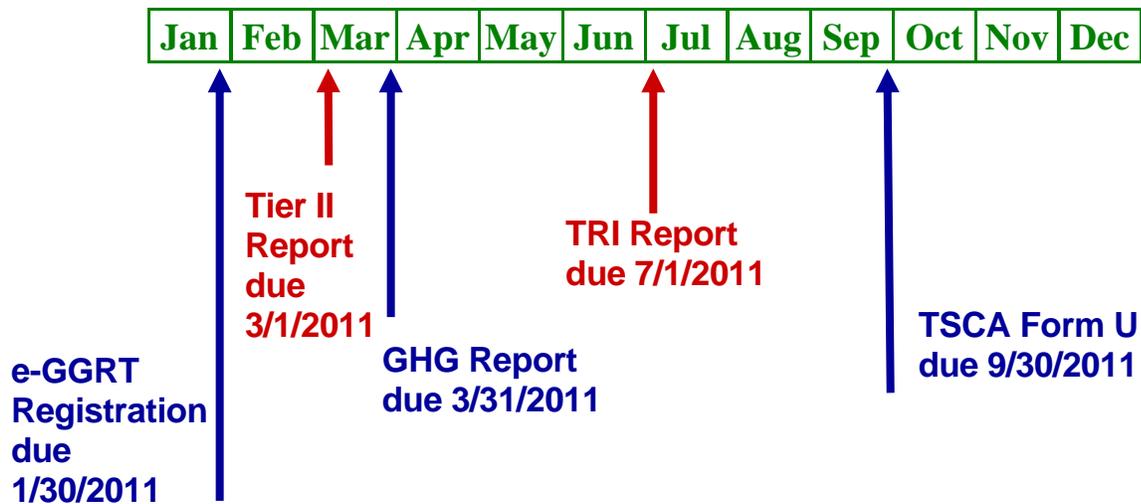
The attached chart contains a quick reference timeline showing the major federal reporting requirements and additional discussion of each item is provided below.

- e-GGRT Registration: e-GGRT stands for the Electronic Greenhouse Gas Reporting Tool and covers the GHG reporting requirements for emission sources whose initial reports are due in 2011. Affected facilities must first register with EPA by January 31, 2011. The actual GHG emissions reports are due later in the year (see below).
- Tier II Report: Tier II covers on-site storage of regulated chemicals where the quantity stored exceeds the "reportable quantity" (RQ). Tier II reports are due March 1, 2011.
- Greenhouse Gas Emissions Reporting: The initial GHG emissions reporting to EPA will be due in 2011. 2011 reporting categories impacting most ARS clients include stationary fuel combustion sources and CO2 suppliers. The e-GGRT software described above will be the method of reporting and the deadline for completing the GHG emission reports is March 31, 2011.
- Toxic Release Inventory (TRI) Reporting: The TRI report covers releases to the environment of hazardous chemicals that are "manufactured", "processed", or "otherwise used". The threshold for reporting varies depending on the individual chemical and whether the chemical was manufactured, processed, or otherwise used. The TRI deadline is July 1 2011.
- TSCA Form U: For ARS clients in the ethanol industry, the periodic Form U reporting requirements under the Toxic Substances Control Act (TSCA) come due again in 2011. Historically, this report has been required every five years, but EPA is considering increasing the frequency of Form U reporting in the future. Form U includes plant production data, whether the chemical of interest was imported or exported, and whether the chemical was recycled, reprocessed, or reused. The Form U reports will be due September 30, 2011.

-- continued --

Added to the above are various state and permit requirements where filing dates may vary from plant to plant. These reports include annual emissions inventory reports, Title V operating permit monitoring and deviation reports, compliance certifications, and various New Source Performance Standards (NSPS) reports covering leak detection and repair (LDAR) and continuous emissions monitoring systems (CEMS).

ARS' compliance staff can assist you with preparing any of the above reports, or we can also prepare a site-specific compliance calendar for you that addresses the precise requirements for your particular facility. Please contact your helpful ARS Project Manager or me at 970/484-7941 or hgebhart@air-resource.com if you are interested in any of these services.



HOWARD GEBHART
Environmental Compliance Section Manager

Mr. Gebhart has over 25 years' experience in air quality permitting and compliance specializing in issues affecting regulated industries. His expertise lies with permitting and support of the ethanol industry. He manages the environmental compliance section at Air Resource Specialists, Inc., and provides technical studies and evaluations; and prepares models, client permit applications, and air emission calculations. He is well experienced in working with the federal Clean Water Act, Clean Air Act, Resource Conservation and Recovery Act (RCRA), and many similar programs enacted in many states throughout the U.S.