



Mandatory Greenhouse Gas Reporting Rule: EPA's Response to Public Comments

Volume No.:43

Subpart J—Ethanol Production

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Subpart J—Ethanol Production

**U. S. Environmental Protection Agency
Office of Atmosphere Programs
Climate Change Division
Washington, D.C.**

FOREWORD

This document provides EPA's responses to public comments on EPA's Proposed Mandatory Greenhouse Gas Reporting Rule. EPA published a Notice of Proposed Rulemaking in the Federal Register on April 10, 2009 (74 FR 16448). EPA received comments on this proposed rule via mail, e-mail, facsimile, and at two public hearings held in Washington, DC and Sacramento, California in April 2009. Copies of all comments submitted are available at the EPA Docket Center Public Reading Room. Comments letters and transcripts of the public hearings are also available electronically through <http://www.regulations.gov> by searching Docket ID *EPA-HQ-OAR-2008-0508*.

Due to the size and scope of this rulemaking, EPA prepared this document in multiple volumes, with each volume focusing on a different broad subject area of the rule. This volume of the document provides EPA's responses to significant public comments received for 40 CFR Part 98, Subpart J—Ethanol Production.

Each volume provides the verbatim text of comments extracted from the original letter or public hearing transcript. For each comment, the name and affiliation of the commenter, the document control number (DCN) assigned to the comment letter, and the number of the comment excerpt is provided. In some cases the same comment excerpt was submitted by two or more commenters either by submittal of a form letter prepared by an organization or by the commenter incorporating by reference the comments in another comment letter. Rather than repeat these comment excerpts for each commenter, EPA has listed the comment excerpt only once and provided a list of all the commenters who submitted the same form letter or otherwise incorporated the comments by reference in table(s) at the end of each volume (as appropriate).

EPA's responses to comments are generally provided immediately following each comment excerpt. However, in instances where several commenters raised similar or related issues, EPA has grouped these comments together and provided a single response after the first comment excerpt in the group and referenced this response in the other comment excerpts. In some cases, EPA provided responses to specific comments or groups of similar comments in the preamble to the final rulemaking. Rather than repeating those responses in this document, EPA has referenced the preamble.

While every effort was made to include all significant comments related to 40 CFR Part 98, Subpart J—Ethanol Production in this volume, some comments inevitably overlap multiple subject areas. For comments that overlapped two or more subject areas, EPA assigned the comment to a single subject category based on an assessment of the principle subject of the comment. For this reason, EPA encourages the public to read the other volumes of this document with subject areas that may be relevant to 40 CFR Part 98, Subpart J—Ethanol Production.

Please note, EPA has made the final decision not to include Subpart J- Ethanol Production as a distinct subpart in the Mandatory Greenhouse Gas Reporting Rule. For more information, please See section III. Other Proposed Source Categories of today's preamble of the final rule.

The primary contacts regarding questions or comments on this document are:

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1. DEFINITION OF SOURCE CATEGORY

Commenter Name: Karen St. John

Commenter Affiliation: BP America Inc. (BP)

Document Control Number: EPA-HQ-OAR-2008-0508-0631.1

Comment Excerpt Number: 70

Comment: BP favors a technology-neutral approach to biofuels. We believe the biofuels definition used in the rule for “ethanol” should be replaced with a more technology neutral definition like “biofuels” in the Definitions section of Subpart J. “Ethanol” is a prescriptive definition that only defines one possible biofuels molecule. Advanced and cellulosic biofuels utilize a variety of different fuels molecules, which may have different performance characteristics than “ethanol.” BP, working in partnership with DuPont, is working to commercialize biobutanol, a biomass-derived molecule to improve the energy content and petroleum infrastructure compatibility of biofuels derived from a wide variety of biomass feedstocks.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today’s preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

Ethanol is treated no differently than other biofuels in terms of reporting requirements for all sources but Subpart II - Industrial Wastewater Treatment. A definition for ethanol production facility is included in subpart II which mirrors that which was in Subpart J of the proposed rule. The facility types included in this definition are the ones that are known to have significant potential for emissions. Other biofuels are not included in this definition, but production facilities for these other fuels may be required to report under other Subparts. The rule does not require reporting of emissions from wastewater treatment processes associated with the production of other biofuels. EPA did not have sufficient data on wastewater treatment at these facility types to determine if any facilities would exceed the thresholds examined in this rule.

Commenter Name: Bob Dinneen

Commenter Affiliation: Renewable Fuels Association (RFA)

Document Control Number: EPA-HQ-OAR-2008-0508-0494.1

Comment Excerpt Number: 20

Comment: Under the Proposed Rule, reporting is only required for those sources for which EPA has provided calculation methodologies. For ethanol production facilities, EPA proposes to require reporting of emissions only from three sources -- stationary fuel combustion, landfills and wastewater treatment. As such, emissions from ethanol fermentation should neither be calculated against the threshold nor be included in the reporting requirements. RFA agrees that

this is the appropriate approach, which is consistent with EPA's treatment of renewable fuels in general, and requests that EPA make this determination clear in the final rule.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

EPA agrees with the commenter that emissions from ethanol fermentation are not included in threshold calculations.

Note that CO₂ from fermentation, where captured, is in some cases reported under Subpart PP: Suppliers of CO₂.

Commenter Name: Bob Dinneen

Commenter Affiliation: Renewable Fuels Association (RFA)

Document Control Number: EPA-HQ-OAR-2008-0508-0494.1

Comment Excerpt Number: 6

Comment: It should be noted that in an inventory done by the Iowa Department of Natural Resources ("IDNR") -- 2007 Greenhouse Gas Emissions from Selected Iowa Source Categories (Aug. 28, 2007) -- non-biogenic GHG emissions from ethanol plants paled in comparison to the largest emitters in the State. IDNR found that emissions ranged for 24 dry mill ethanol plants (22 natural gas-fired and 2 coal-fired) ranged from 0.0114 to 0.1822 million mtCO₂e (at 14-15). This can be compared to the emissions from the ten highest emitters in the State (all coal-fired utilities) which ranged from 1.31 to 9.14 million mtCO₂e (at 19). The emissions from these ten facilities accounted for 69% of the total GHG emissions from fossil fuel combustion in the State.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

EPA disagrees with the commenter that ethanol facilities should not be included in the rule because they would not be a significant source of greenhouse gas emissions. Although emissions from these facilities may constitute a small percentage of national greenhouse gas emitted, even source categories that are not large sources at the national level can include facilities that do have large emissions relative to facilities across industries. See the preamble signed in 2009 section II(E) for EPA's rationale on the selection of the reporting thresholds, and the TSD for ethanol for more information on the inclusion of this source category.

While as a source category, ethanol production facilities may not be large sources of GHG emissions, the reporting of individual facilities having emissions exceeding the thresholds in the rule supports the goal of the reporting rule: to collect accurate and consistent data of sufficient quality to inform future policy and regulatory decisions.

Commenter Name: Bob Dinneen

Commenter Affiliation: Renewable Fuels Association (RFA)

Document Control Number: EPA-HQ-OAR-2008-0508-0494.1

Comment Excerpt Number: 3

Comment: In addition to stationary fuel combustion, EPA includes landfills and wastewater treatment as sources for which ethanol production facilities must report GHG emissions in accordance with the methodologies in the Proposed Rule. In 2007, EPA estimated that emissions from waste activities, including landfilling, wastewater treatment, and composting, were just over 2% of total U.S. GHG emissions. EPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2007, at 8-1 (Apr. 15, 2009) (hereinafter referred to as “EPA GHG Inventory”), <http://www.epa.gov/climatechange/emissions/downloads09/Waste.pdf>. Any emissions that may be attributable to landfills and wastewater treatment at ethanol facilities are likely to be only a tiny fraction of this small percent. First, EPA provides no support for its inclusion of landfill emissions for ethanol facilities. EPA indicates it has no data on landfilling at ethanol facilities “but it is believed that some of these facilities may have landfills with significant GHG emissions.” TSD for Ethanol Facilities, at 3. Such a statement is not adequate justification to impose reporting requirements on ethanol facilities with respect to such landfills, where they are likely to be de minimis. A typical ethanol plant is not expected to have a landfill. In 2007, based on EPA’s GHG Inventory and assuming no recovery, industrial landfills made up less than 12% of total CH₄ emissions from landfills in the U.S., with municipal waste landfills making up the rest. EPA GHG Inventory, at 8-2. CH₄ emissions from industrial landfills were estimated at 15.3 teragrams CO₂ equivalent (Tg CO₂ Eq.) in 2006 and 15.4 Tg CO₂ Eq. in 2007. Id. In its Technical Support Document for the Landfill Sector (“TSD for Landfill Sector”) (Feb. 4, 2009), EPA estimated that, in 2006, 14.6 million metric tons CO₂ equivalent (mtCO₂e) of CH₄ emissions came from industrial landfills at pulp and paper facilities and food-processing facilities (at 4). That leaves only 0.7 million mtCO₂e of CH₄ emissions that can be attributed to all other industrial landfills. This is 4.6% of CH₄ emissions from industrial landfills (15.3 Tg CO₂ Eq.), 0.5% of CH₄ emissions from landfills in total (130.4 Tg CO₂ Eq.), 0.4% of CH₄ emissions from the waste sector generally (156.5 Tg CO₂ Eq.), 0.1% of CH₄ emissions in the U.S. (582.0 Tg CO₂ Eq.), and 0.0099% of total GHG emissions in the U.S. (7,051.1 Tg CO₂ Eq.) (for 2006). Based on the information available, industrial landfills at ethanol facilities can only be an insignificant part of U.S. GHG emissions, insufficient to require reporting under the rule. Second, the only discussion on emissions from ethanol facilities that EPA provides in its support documents for the Proposed Rule is on EPA’s estimates of emissions from wastewater treatment at ethanol facilities, but this information also is not sufficient to support the inclusion of these emissions in the rule. Even here, EPA is making assumptions as to the number of facilities that contain wastewater treatment and the potential emissions. More important, as with landfill emissions, even based on EPA’s assumptions, emissions from wastewater treatment at ethanol production facilities are insignificant. EPA estimated that wastewater treatment systems account for only 4% of total anthropogenic CH₄ emissions. Technical Support Document for Wastewater Treatment: Proposed Rule for Mandatory Reporting of Greenhouse Gases, at 4, (Feb. 4, 2009) (“TSD for Wastewater Treatment”). EPA estimated that CH₄ emissions from wastewater treatment at ethanol production facilities were less than 1% of total CH₄ emissions from industrial wastewater treatment. TSD for Ethanol Facilities, at 3. EPA estimated only 1 ethanol facility to have emissions from wastewater treatment to exceed 25,000 mtCO₂e. TSD for Wastewater Treatment, at 7. Based on EPA’s GHG Inventory, the estimated emissions from wastewater treatment at ethanol facilities is de minimis. EPA estimated that CH₄ emissions totaled 68,200 mtCO₂e in

2006. TSD for Ethanol Facilities, at 3. This is 0.27% of total CH₄ emissions from wastewater treatment (24.5 Tg CO₂ Eq.), 0.044% of total CH₄ emissions from the waste sector generally (156.5 Tg CO₂ Eq.), 0.012% of total CH₄ emissions in the U.S. (582.0 Tg CO₂ Eq.), and 0.00096% of total GHG emissions in the U.S. (7,051.1 Tg CO₂ Eq.) (for 2006). Based on the information available, emissions associated with wastewater treatment at ethanol facilities makes up an insignificant part of GHG emissions, insufficient to require reporting under the rule. EPA simply provides insufficient justification for including emissions from landfills and wastewater treatment at ethanol facilities as part of their reporting requirements.¹⁴ As such, these sources should be removed from the reporting requirements for ethanol production facilities under Subpart J of the Proposed Rule (Proposed Section 98.102(b) and (c)).

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III, Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

With regard to the lack of information on landfilling of wastes at ethanol production facilities, it is expected that data collected through this rule will improve our understanding of emissions sources in various industries. Ethanol production facilities without landfills will not be required to report data for Subpart TT. In addition, Subpart TT in the final rule further clarifies that industrial landfills that receive organic waste must report only if their design capacity is 300,000 Mg of waste or greater.

See the preamble signed in 2009 (74 FR (page 56317)) for response to comments on de minimus exclusions. With regard to the percentage of national greenhouse gas emitted from ethanol production facilities, even source categories that are not large sources at the national level can include facilities that have large emissions relative to facilities across industries.

Commenter Name: Bob Dinneen

Commenter Affiliation: Renewable Fuels Association (RFA)

Document Control Number: EPA-HQ-OAR-2008-0508-0494.1

Comment Excerpt Number: 2

Comment: EPA provides little information on its analysis of ethanol production facilities in support of the requirements for this source category in the Proposed Rule. Although EPA provides estimates as to the number of facilities that may be covered (based only on 140 total facilities), EPA provides no total emissions estimates for ethanol facilities. Ethanol is one of only two source categories for which EPA provides no such emission estimates to support their inclusion in the listed source categories (food processing being the other). See Technical Support Document for Reporting Thresholds: Proposed Rule for Mandatory Reporting of Greenhouse Gases, Table 5-8 (Mar. 8, 2009) ("TSD for Reporting Thresholds") (OAR-2008-0508-0046). RFA questions EPA's claim that "[e] estimates of total national emissions from landfills and stationary combustion at ethanol facilities are unavailable." Technical Support Document for Ethanol Facilities: Proposed Rule for Mandatory Reporting of Greenhouse Gases, at 3 (Feb. 4, 2009) ("TSD For Ethanol Facilities") (OAR-2008-0508-0010). In the Proposed Rule, EPA notes that "[d]ata on stationary fuel combustion were used to estimate the minimum number of facilities that would meet each of the facility-level thresholds examined." 74 Fed. Reg. at 16,500.

We did not find these estimates in the record. The only information provided in the TSD and the Regulatory Impact Analysis was on wastewater treatment. As such, RFA cannot adequately respond to EPA's decision to include ethanol facilities as a source category and to the potential impacts of the rule on ethanol facilities. EPA must provide this information to provide notice and an adequate opportunity for comment. Therefore, EPA should include this information in the record and reopen the comment period, providing sufficient time for interested members of the public to review the data and submit comments.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III, Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP. For information on stationary combustion at ethanol facilities, see the Technical Support Document for Ethanol Facilities.

Commenter Name: John Seltz

Commenter Affiliation: Minnesota Pollution Control Agency (MPCA)

Document Control Number: EPA-HQ-OAR-2008-0508-0465.1

Comment Excerpt Number: 5

Comment: Under the proposed rule, ethanol facilities that emit more than 25,000 CO₂-equivalent tons per year of greenhouses must report. The proposed rule does not reference biogenic CO₂ emissions from fermentation at the facilities. Biogenic CO₂ emissions from the combustion of biomass are reportable under the federal reporting rule. This seems inconsistent. The MPCA is interested in understanding the basis for EPA's reasoning on this issue.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III, Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

With respect to emissions from combustion of biomass, see the response to comment for the rule signed in 2009, EPA-HQ-OAR-2008-0508-0690.1, excerpt 1 in Volume 1. For the purpose of the reporting rule, facilities are not to include CO₂ emissions associated with biomass combustion when determining whether they meet the requirements of 98(a)(2), but if they do meet the requirements of 98(a)(2), they are required to separately report emissions associated with the biomass combustion at the facility.

With regard to reporting of emissions from fermentation by ethanol production facilities, please see the response to comment EPA-HW-OAR-2008-0508-0494.1, excerpt 20.

Commenter Name: Bob Dinneen

Commenter Affiliation: Renewable Fuels Association (RFA)

Document Control Number: EPA-HQ-OAR-2008-0508-0494.1

Comment Excerpt Number: 21

Comment: EPA has properly focused on non-biogenic anthropogenic sources of GHG emissions in the Proposed Rule. Ethanol is produced from biomass, and the carbon in biomass is of a biogenic origin --meaning that it was recently contained in living organic matter. For example, emissions associated with ethanol fermentation are not counted against GHG emissions in Iowa's reporting program because they are considered biogenic emissions. Also, EPA has found that "the CO₂ emitted from biomass-based fuels combustion does not increase atmospheric CO₂ concentrations, assuming the biogenic carbon emitted is offset by the uptake of CO₂ resulting from the growth of new biomass." 74 Fed. Reg. 24,904, 25,039 (May 26, 2009). This also applies to biogenic emissions from fermentation.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

With respect to emissions from combustion of biomass, see the response to comment for the rule signed in 2009, EPA-HQ-OAR-2008-0508-0690.1, excerpt 1 in Volume 1. With respect to emissions associated with ethanol fermentation, see the response to comment EPA-HQ-OAR-2008-0508-0494.1, excerpt 20. Note that this rule does not make a determination on whether CO₂ from biomass is offset by uptake of CO₂ from the growth of new biomass.

Commenter Name: Steven M. Pirner

Commenter Affiliation: South Dakota Department of Environment and Natural Resources (SD DENR)

Document Control Number: EPA-HQ-OAR-2008-0508-0576

Comment Excerpt Number: 3

Comment: EPA is not proposing to require reporting by suppliers of biomass-based fuels, or renewable fuels, due to the fact that greenhouse gases emitted upon combustion of these fuels are traditionally taken into account at the point of biomass production. EPA is seeking comment on this approach and notes that producers of some biomass-based fuels (e.g., ethanol) would be subject to reporting requirements for their on-site emissions. SD DENR agrees with this approach because it avoids double counting of greenhouse gas emissions and meets the objective of the rule to collect comprehensive and accurate data which will be used to develop future policies and climate change legislation.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

The final rule, like the proposed rule does not require suppliers to report the biomass fuels they supply, but does require reporting of certain emissions from other onsite sources at biofuels facilities that meet the thresholds in 98.2. With regard to reporting of direct emissions from

combustion of biomass, see the response to comment EPA-HQ-OAR-2008-0508-0465.1, excerpt 5.

Commenter Name: Karen St. John

Commenter Affiliation: BP America Inc. (BP)

Document Control Number: EPA-HQ-OAR-2008-0508-0631.1

Comment Excerpt Number: 69

Comment: BP believes that EPA should expand the coverage of its rule to include all “biofuel” production facilities that combust fossil fuel-based fuels so long as they meet the reporting threshold, and not limit the rule to “ethanol” production facilities only.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today’s preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

All facilities, regardless of the sector, must report direct emissions from stationary combustion sources if they have stationary combustion source emissions above the threshold in the rule or contain other source categories covered by the rule. With regard to the inclusion of biofuels other than ethanol in industrial wastewater treatment requirements, please see response to comment EPA-HQ-OAR-2008-0508-0631.1, excerpt 70.

Commenter Name: J. Jared Snyder

Commenter Affiliation: New York State Department of Environmental Conservation

Document Control Number: EPA-HQ-OAR-2008-0508-1184

Comment Excerpt Number: 10

Comment: The Department recommends mandatory reporting of GHG emissions from the fermentation process. Significant carbon dioxide emissions from the fermentation process provide a pure stream of carbon dioxide that is typically vented to the atmosphere, but may be captured and sequestered or sold for other industrial applications. Accurate accounting of these emissions is necessary for determining net CO₂ emissions from ethanol production.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today’s preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

With respect to emissions associated with ethanol fermentation, see the response to comment EPA-HQ-OAR-2008-0508-0494.1, excerpt 20. EPA agrees that there may be significant CO₂ emissions from these operations and that these emissions may be captured and sequestered or sold for other industrial applications. To gather more information on these practices, EPA requires Suppliers of CO₂ to report under Subpart PP.

Commenter Name: Bob Dinneen
Commenter Affiliation: Renewable Fuels Association (RFA)
Document Control Number: EPA-HQ-OAR-2008-0508-0494.1
Comment Excerpt Number: 5

Comment: Several States already require reporting from ethanol facilities. For example, Iowa requires GHG reporting from Title V sources and ethanol facilities. EPA should give facilities the option of utilizing reports already being submitted to States.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

See the preamble signed in 2009 (FR 74, (page 56283)) for the response on the relationship of this rule to other programs, and EPA's commitment to working with States when implementing the final reporting rule.

Commenter Name: Bob Dinneen
Commenter Affiliation: Renewable Fuels Association (RFA)
Document Control Number: EPA-HQ-OAR-2008-0508-0494.1
Comment Excerpt Number: 22

Comment: There are several ethanol plants that are capturing CO₂ from the fermentation process and removing these emissions from the atmosphere. The capture and removal of CO₂ produced by fermentation is a net reduction in atmospheric CO₂, not just a reduction in CO₂ emissions. These facilities should be allowed to count these emissions against their total for determining whether the threshold is met, and they should be included in any reports to EPA.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

With respect to CO₂ emissions associated with ethanol fermentation, see the response to comment EPA-HQ-OAR-2008-0508-1184, excerpt 10. At this time, this rule does not address removals of CO₂.

Commenter Name: Matthew Frank

Commenter Affiliation: Wisconsin Department of Natural Resources

Document Control Number: EPA-HQ-OAR-2008-0508-1062.1

Comment Excerpt Number: 9

Comment: The framework outlined in the proposed rule for GHG reporting for ethanol production is straightforward, understandable and comprehensive. If EPA requires the calculation of these emissions, please identify the emission factors to be used.

Response: EPA has made the final decision not to include Subpart J as a distinct subpart in the Mandatory Reporting of Greenhouse Gases Rule. See section III. Other Proposed Source Categories of today's preamble for further explanation. Note, ethanol production facilities will still be required to report if they meet the threshold of 25,000 tons CO₂e by aggregating emissions from all applicable sources covered by the rule, or if they meet the requirements of subpart PP.

Emission factors for wastewater treatment are listed in Table II-1 of subpart II. Wastewater treatment emissions are calculated using equations II-1 through II-6 listed § 98.353. The emission factors for stationary combustion are listed in Tables C-1 and C-2 of subpart C and emissions are calculated using the equations listed in § 98.33. Finally the emission factors for industrial landfills are located in Table TT-1 of subpart TT and emissions are calculated using equation TT-6.