

Massachusetts Requires Registration of Facilities with Significant 2008 Carbon Dioxide Emissions

February 2009

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A new Massachusetts regulation requires facilities that emitted more than 5,000 tons of carbon dioxide (CO₂) during 2008 to register with the state no later than April 15, 2009. The new regulation also requires registration for any facilities that reported air emissions under the federal Clean Air Act Title V and combusted any fossil fuel that resulted in CO₂ emissions during 2008.

The Massachusetts Climate Protection and Green Economy Act of 2008 (Act) charges the Executive Office of Energy and Environmental Affairs (EOEEA) to set yearly limits on greenhouse gas (GHG) emissions statewide. The yearly limits must ratchet downward over time compared to a 1990 baseline. Reducing emissions over time requires that those emissions be quantified.

Facilities with Operating Permits from the Massachusetts Department of Environmental Protection (MassDEP) under Clean Air Act Title V already report their emissions, but the 5,000-ton threshold covers facilities that may be unaccustomed to air-quality regulation.

MassDEP gives the following examples of sources that may generate significant CO₂ emissions: electric generating units; emergency generators; industrial, commercial and institutional boilers; wastewater treatment plants; municipal waste combustors; landfills; manufacturers; facilities using high global warming potential gases (CO₂, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride); facilities using combined heat and power; and facilities burning biomass.

MassDEP gives the following examples of fuel usage that emit approximately 5,000 tons per year of GHG:

- combustion of 83.1 million cubic feet of natural gas
- combustion of 442,000 gallons of No. 2 fuel oil
- operation of a 30% efficient natural gas-fired 1.0 MW electric generator run at 85% capacity

Based on U.S. Energy Information Administration data, boilers burning this much natural gas or No. 2 fuel oil could heat a building in New England of between 1.5 and 1.8 million square feet.

Beginning on April 15, 2010, MassDEP will begin requiring the annual submittal of certified and verified reports of CO₂ emissions during the previous calendar year.

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If you need help determining whether your facilities are subject to the new regulation and to ensure timely and proper compliance, please contact:

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