

Air Emissions Reporting Requirements (AERR) Rule



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Why did EPA develop the AERR?

- To harmonize, consolidate and simplify data reporting by states
- The AERR updates emissions reporting requirements in the Consolidated Emissions Reporting Requirements (CERR) rule that have been in place since 2002.

Who needs to report?

- State agencies
- Local agencies may be affected if responsible for EI reporting
- Tribes that have been granted treatment as state status and have approval to implement rules through a Tribal Implementation Plan



When will the AERR be implemented?

- Starting with data reporting for 2009
- 2009 and 2010 will be Type A source reporting years
- 2011 will be first triennial inventory reported under AERR

What are the significant changes from the CERR?:

- Point source reporting will be based upon major source definition in the Code of Federal Regulations under Title 40, Part 70 – State operating permit programs which use “potential to emit.”
 - States will have a stable universe of point sources for reporting
 - Will enhance consistency of reporting and help eliminate gaps and overlaps with nonpoint source reporting.
- Data will be due 12 months following the end of the inventory year to harmonize reporting with the NOx SIP Call
- Reporting of biogenic emissions will no longer be required
- Model inputs may be reported in lieu of emission estimates
- Data elements for reporting have been updated to improve consistency with EPA’s new Emissions Inventory System.
- Summer day emissions reporting restricted to ozone nonattainment areas
- Winter work weekday emissions reporting restricted to CO for nonattainment areas and attainment areas with maintenance plans
- Particulate Matter:
 - PM primary (sum of filterable and condensable components) must be reported as under the CERR
 - Reporting of the filterable and condensable components was encouraged under the CERR and is a new requirement under the AERR

What are the reporting cycles and averaging times?

- Every year cycle reporting
 - Annual emissions from Type A (large) point sources
 - Ozone season and summer day emissions of NOx from sources controlled to meet SIP Call requirements
- Three year cycle reporting
 - Annual emissions of criteria pollutants from all sources (except windblown dust)
 - Ozone season and summer day emissions of NOx from all sources
 - Summer day emissions of NOx and VOC for ozone nonattainment areas
 - Winter work week day emissions of CO for nonattainment areas and attainment areas with maintenance plans

What pollutants need to be reported?

- Applies to criteria pollutants and precursors (VOC, NOx, SO2, PM2.5, PM10, NH3, CO and Pb)
- HAPs may be reported on a voluntary basis

What if I report my data early?

- EPA is developing an Early Data Submittal Program
- States will be encouraged to submit data by 12/31/09 for the 2008 inventory year
- States that participate will receive recognition from EPA

Will the Pb point source reporting level be changed?

- Pb NAAQS final rulemaking changed the nonattainment area SIP EI requirement of 5 tons per year for inventorying point sources (40 CFR 51.117) to 0.5 tons per year
- EPA plans to seek comment on revising the AERR reporting level of 5 tons per year for point sources of Pb.

Where can I find the AERR?

- In the Federal Register at 73 FR 76539 – 76558 (December 17, 2008)
- In the Code of Federal Regulations at 40 CFR 51.1 – 51.50