Energy and Environmental Law Bulletin

British Columbia's New Requirement for Mandatory Reporting of Greenhouse Gas Emissions

Kai Alderson, Ron Ezekiel, Stephanie Sanger and Paul Wilson, Vancouver

Overview


Key Dates

Owners and operators of industrial facilities in B.C. should take note of these important dates:

- **January 1, 2010** | Start date for data collection
- **February 1, 2010** | Deadline to apply to director for approval of a quantification methodology other than a methodology that is specified in the Regulation
- **February 28, 2010** | Deadline for an operator or owner to forecast total attributable emissions for 2010 if unsure whether or not an operation will be required to report
- **March 31, 2010** | Deadline for registration for facilities that are known to exceed the reporting threshold or that may exceed the reporting threshold
- **March 31, 2010** | Last date on which an alternative quantification methodology may be used without approval from the director
- **December 31, 2010** | End of first reporting period
- **March 31, 2011** | Deadline for submitting GHG emissions report for 2010
- **September 1, 2011** | Deadline for submitting verification statement and supplementary report

Regulated Facilities

GHG emissions are to be reported on a facility-by-facility basis. If the attributable GHG emissions from a facility exceed 10,000 metric tonnes carbon dioxide equivalent (MTCO₂e) in a calendar year, then the owner or operator of the facility must report those GHG emissions for that year.
Industries Likely to be Affected

Facilities include industrial operations that are located on a single site. The Regulation also sets out special reporting provisions for linear operations, such as transmission lines or pipelines. All of the GHG emissions from a facility must be aggregated to determine the total GHG emissions attributable to the facility.

Under the Regulation, the term “facility” has a broad meaning. It includes buildings, structures, stationary items and equipment that are: (i) located or used primarily on a single site or on sites that are contiguous or adjacent to one another; (ii) managed or controlled by the same person; and (iii) function as a single integrated site. The term “facility” also includes wastewater collection and treatment systems that treat wastewater from a facility, wherever located. Under the Regulation, mobile, off-road equipment that operate as a part of an integrated site comprise part of that facility.

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<th>Registration and Reporting Requirements</th>
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An owner or operator’s reporting requirements in respect of a facility depend on the amount of GHG emissions attributable to that facility in each reporting year, as well as that facility’s annual GHG emissions between the years 2006 to 2009.

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<tr>
<th>Annual Emissions (tonnes CO₂e)</th>
<th>Reporting Requirements</th>
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<tr>
<td>May reach 10 000</td>
<td>- Registration requirement</td>
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<tr>
<td>10 000 or more</td>
<td>- Annual reporting of GHG emissions to director</td>
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<td>- Report in subsequent years unless below threshold for 3 consecutive years or meet other conditions</td>
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<td>- Quantify GHG emissions attributable to the operation for each year from 2006 to 2009</td>
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<td>20 000 in any year between 2006 to 2009</td>
<td>- Report emissions for each year that meet this threshold (include with first emissions report)</td>
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<tr>
<td>25 000</td>
<td>- Annual reporting of GHG emissions to director</td>
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<td>- Verification requirements</td>
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1 This annual GHG emissions threshold does not include MTCO₂e from wood biomass or the wood biomass component of mixed fuels.
Quantification and Data Management

The Ministry has stated that it expects the measurement and reporting of GHG emissions to be on par with the standard of financial record-keeping and reporting.

Owners and operators must determine early what sources of GHG emissions at regulated facilities are required to be measured and reported. GHG emissions are only deemed to be “attributable” to a facility if such emissions result from activities and sources that are expressly set out in the Regulation.

The approved methodologies for determining the amount of GHG emissions attributable to each regulated source or activity at a facility are set out in the Reporting Regulation Methodology Manual, as amended from time to time.¹

Owners and operators of industrial facilities must put systems in place to track all of the data required to determine GHG emissions attributable to prescribed sources and activities at that facility. The reporting operation must also put in place adequate data-management and data-retention procedures to ensure that all data used to calculate the GHG emissions are verifiable.

Third Party Verification

Owners and operators of facilities with annual GHG emissions equal to or greater than 25,000 MTCO₂e (not including CO₂ from woody biomass) must submit a verification statement prepared by an accredited third-party verifier in accordance with Ministry guidelines for each annual report of GHG emissions.³

From 2012, such a verification report must be submitted together with the GHG emissions report. For 2010 and 2011, owners and operators may submit a verification report on or before September 1 of the year in which the applicable report is submitted.

Conclusion

The Regulation impacts owners and operators of hundreds of industrial facilities in British Columbia, making them responsible for monitoring and reporting GHG emissions to standards on par with financial reporting.

For more information on the subject of this bulletin, please contact the authors:

Kai Alderson
604 631 3222
kalderson@fasken.com

Ron Ezekiel
604 631 4708
rezekiel@fasken.com

Stephanie Sanger
604 631 4810
ssanger@fasken.com

Paul Wilson
604 631 4748
pwilson@fasken.com


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