



# Regulatory Advisory

April 2014



## Cost of Implementation Fee Regulation Advisory SSD 14-02

### COST OF IMPLEMENTATION FEE REGULATION DEADLINE EXTENSION TO CONFORM WITH THE MANDATORY REPORTING REGULATION DEADLINE EXTENSION FOR OPERATORS SUBJECT TO NEW PRODUCT DATA REPORTING AND SUBJECT TO THE APRIL 10, 2014 DEADLINE

The purpose of this advisory is to announce that the California Air Resources Board (ARB) is granting an extension to May 9, 2014, for operators and suppliers subject to the Cost of Implementation Fee Regulation, title 17, California Code of Regulations, section 95200 et seq. (Fee Regulation), that received a deadline extension<sup>1</sup>, for the reporting of new or updated product data reporting requirements under the Regulation for the Mandatory Reporting of Greenhouse Gas Emissions, title 17, California Code of Regulations, section 95100 et seq. (MRR).

#### Background

ARB first approved MRR in 2007 and the Fee Regulation in 2010. Under section 95204(c)(3) of the California Code of Regulations, entities subject to the Fee Regulation must report by April 10<sup>th</sup>, consistent with MRR reporting deadlines contained in section 95103(e).

In 2013, ARB initiated a rulemaking to amend the MRR. The amendments became effective on January 1, 2014 and included new and updated product data reporting requirements (described within sections 95113(l), 95114(j), 95115(n)(5) through (12), 95115(n)(14) through (18), 95119(d), 95124(d), and 95156) to support the allocation of allowances under the Cap-and-Trade Program.

#### Current Action

This Regulatory Advisory extends the Fee Regulation reporting deadline from April 10, 2014 to May 9, 2014, for operators and suppliers subject to the Fee Regulation and for which MRR requires new or updated product data reporting for 2013 data reported in 2014. This is the same group of reporters for whom the MRR reporting deadline has been extended.

The general categories of operators and suppliers for which new or updated product data is required are as follows: petroleum refineries (section 95113(l)); hydrogen production (section 95114(j)); poultry processing facilities (section 95115(n)(5)); manufacturers of dried and dehydrated flavors (section 95115(n)(6)); brewery operators

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<sup>1</sup> Regulation for the Mandatory Reporting of Greenhouse Gas Emissions Advisory SSD 14-01

(section 95115(n)(7)); snack food manufacturers (section 95115(n)(8)); sugar manufacturing facilities (section 95115(n)(9)); tomato processors (section 95115(n)(10)); pipe foundry operators (section 95115(n)(11)); aluminum billet producers (section 95115(n)(12)); mining or processing of diatomaceous earth facilities (section 95115(n)(14)); performing forging facilities (section 95115(n)(15)); operators of dairy product facilities (section 95115(n)(16)); almond or pistachio processing facilities (section 95115(n)(17)); wet corn facility operators (section 95115(n)(18)); tissue manufacturing (section 95119(d)); lead and lead alloy producers (section 95124(d)); onshore and offshore petroleum and natural gas production facilities (sections 95156(a) and (b)); natural gas liquid fractionating and processing facilities and small onshore natural gas processing facilities (section 95156(c)); large onshore natural gas processing facilities (section 95156(d)); and optional reporting for wineries (Cap-and-Trade Regulation section 95891). Specifically, those operators and suppliers reporting under the following NAICS codes are subject to the reporting extension as laid out in this Regulatory Advisory: 211111, 211112, 212399, 311421, 311615, 311423, 31151, 311911, 31191, 311313, 312120, 312130, 322121, 324110, 324199, 325120, 331314, 331492, 331511, and 332112.

**Where can I find more information and documentation concerning this Regulatory Advisory?**

The Regulation, relevant fact sheets, and guidance are available here:  
<http://www.arb.ca.gov/adminfee>