

FACT SHEET

NOTICE OF PROPOSED RULEMAKING Waste Energy Recovery Registry

ACTION

- EPA is proposing to establish the criteria for including sources or sites in a Registry of Recoverable Waste Energy Sources (Registry), as required under Title IV, Subtitle D of the Energy Independence and Security Act of 2007 (EISA). The Agency is also proposing the Survey processes by which EPA will collect data and populate the Registry. The rule would apply to major industrial and large commercial sources as defined by EPA in this rulemaking. This proposed rule would not require the installation of new monitoring equipment, rather it would require only that sources above certain threshold levels that wish to be included in the Registry enter specific already-monitored data points into the Survey, which is a software tool that will calculate the quantity and quality of potentially recoverable waste energy.
- EPA is fulfilling the obligations under Title IV, Subtitle D, Section 451 of EISA. This proposed rule addresses EPA's obligation under EISA to publish a rule within 270 days of EISA enactment that establishes the criteria by which sources or sites will be listed in a Registry of Recoverable Waste Energy Sources (Registry).
- For information on how to comment on this proposed rule, please see the **HOW TO COMMENT** section below. EPA will accept comments on this proposed rule for 60 days.

BACKGROUND

- Today's action addresses EPA's obligation under EISA to develop an ongoing Survey of major domestic industrial and large commercial sources, as well as the sites at which the sources are located, and to conduct a review of each source for the quantity and quality of potential waste energy produced. This Survey is a necessary first step to gather the data needed to establish the Registry. EISA directs EPA to establish the Registry within one year of EISA enactment.
 - The purposes of the Survey and Registry are to:
 1. Provide a list of the economically feasible existing waste energy recovery opportunities in the US based on a Survey of major industrial and large commercial sources;
 2. Provide state and national totals of the existing waste energy recovery opportunities, as well as the potential criteria pollutant and greenhouse gas emissions reductions that could be achieved with the capture and use of the waste energy recovery opportunities listed in the Registry;

3. Serve as the basis for potential waste energy recovery projects to qualify for financial and regulatory incentives as described in Energy Policy and Conservation Act (EPCA) Sections 373 “Waste Energy Recovery Incentive Grant Program” and 374 “Additional Incentives for Recovery, Use, and Prevention of Industrial Waste Energy,” as added by EISA.
- This rule strikes an appropriate balance between the need to undertake a Survey and follow Congress’ direction, and the concern of private industry around submitting sensitive information on a Survey. To achieve this balance, an innovative Survey approach is proposed in which the respondent retains control of their sensitive information, and only the necessary information for EPA to populate the Registry is submitted. The Survey is titled the Waste Energy Survey Tool (WEST).
 - EPA is proposing to include the following information for each site in the Registry:
 - a. Site name, address, NAICS code;
 - b. Site contact person name, title, address, phone number, email address;
 - c. The total waste energy recovery potential at the site; and
 - d. Date the listing was posted in the Registry.
 - The information EPA is proposing to include in the Registry is the minimum information needed for site or source operators or owners, and private project developers of waste energy recovery systems, to be aware that a potential waste energy recovery project has met the criteria included in this rule and facilitate conversations between private parties to pursue the capture and use of the potential waste energy.
 - As directed by EPCA Section 372(d)(2), EPA is also proposing to include in the Registry, nationally and by state, the total quantities of potentially recoverable waste energy from sources at the sites in the Registry, as well as the criteria pollutant (NO_x, SO_x) and greenhouse gas (GHG) emissions savings that might be achieved with recovery of the waste energy from all sources and sites listed in the Registry.
 - EPA is proposing that the Survey be completed voluntarily by owners or operators of affected sources anytime following release of WEST. The Agency expects WEST to be released within 90 days of the final rule being published in the Federal Register. Following the release of WEST, affected sites and sources can submit the Survey reporting information to the Agency at any time.

HOW TO COMMENT

- EPA will accept comments on this proposed rule for 60 days after the date of publication in the Federal Register. If a hearing is requested, EPA will accept comments up to 45 days after the date of publication.
- All comments should be identified by Docket No. EPA-HQ-OAR-2008-0201. Comments may be submitted by one of the following methods:
 1. Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
 2. E-mail: a-and-r-Docket@epa.gov
 3. Fax: 202-566-1741
 4. U.S. Mail: Environmental Protection Agency, EPA Docket Center (EPA/DC), Mailcode 2822T, Attention Docket ID No. EPA-HQ-OAR-2008-0201, 1200 Pennsylvania Avenue, NW, Washington, DC 20460.
 5. Hand Delivery or Courier. Deliver your comments to: Public Reading Room, Room B102, EPA West Building, 1301 Constitution Avenue, NW, Room 3334, Washington, DC 20004.

FOR FURTHER INFORMATION

- Additional information on the proposed Waste Energy Recovery Registry can be found at the following address: <http://www.epa.gov/wasteenergyregistry>
- Additional information on the EPA Combined Heat and Power Partnership can be found at the following address: <http://www.epa.gov/chp>
- For further information about this action, contact Susan Wickwire of EPA's Office of Atmospheric Programs at (202) 343-9155 or at wickwire.susan@epa.gov.