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IMPORTANT INFORMATION

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Greenhouse Gas Reduction (Cap and Trade) Act Reporting Regulation

[includes amendments up to B.C. Reg. 376/2010, December 20, 2010]

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Part 1 — Interpretation and Application

Definitions and interpretation

1 (1) In this regulation:

"Act" means the *Greenhouse Gas Reduction (Cap and Trade) Act*;

"biomass" means

(a) non-fossilized plants or parts of plants, animal waste or any product made of either of these and includes, without limitation, biomass derived fuels, wood and wood products, agricultural residues and wastes, biologically derived organic matter found in municipal and industrial wastes, landfill gas, black liquor, kraft pulp fibres and sludge gas, and

(b) any fuels in respect of which the entire heat generation capacity is derived entirely from biomass described in paragraph (a);

"Canadian entitlement power" means imported electricity that is a downstream power benefit to which Canada is entitled as described in Articles V (1) and VII of the Columbia River Treaty and determined in accordance with that Treaty;

"Columbia River Treaty" means the treaty between Canada and the United States of America relating to the Cooperative Development of the Water Resources of the Columbia River Basin, including its Annexes A and B, signed at Washington, District of Columbia, United States of America on the 17th day of January, 1961, and the Protocol brought into force by the exchange of instruments of ratification and an exchange of notes on September 16, 1964;

"continuous emissions monitoring system" or "CEMS" means the system required to obtain a continuous measurement of a gas concentration rate and emission rate from combustion or industrial processes;

"direct measurement methodology" means an emission quantification methodology that involves the quantification of emissions by means of direct measurement of the flue gas flow, as well as the concentration of the relevant greenhouse gases in the flue gas, such as a continuous emissions monitoring system;

"electricity import operation" means the business of importing electricity at the time when it is delivered to the first point of delivery in British Columbia;

"electricity transmission" means the transmission of electricity from an electricity generating facility to consumers or to a point of consumption, but excludes transmission of electricity generated primarily for use by the generator

that is transmitted a distance of less than 100 kilometres;

"facility" includes

(a) all buildings, structures, stationary items and equipment that

(i) are located or used primarily on a single site, contiguous sites or adjacent sites,

(ii) are managed or controlled by the same person, and

(iii) function as a single integrated site,

(b) wastewater collection and wastewater treatment systems that treat wastewater from a facility, if the systems are on or adjacent to a site or sites referred to in paragraph (a) (i) and are managed or controlled by the person referred to in paragraph (a) (ii),

(b.1) storage of petroleum products at a terminal that receives petroleum products from a facility, if the terminal is adjacent to a site or sites referred to in paragraph (a) (i) and managed or controlled by the person referred to in paragraph (a) (ii), and

(c) mobile equipment, primarily used at the site or sites referred to in paragraph (a) (i), that functions as part of the integrated site;

"final point of delivery" means the last point of delivery for a given electricity transaction as recorded on the NERC E-tag for that transaction;

"hydrofluorocarbons" or **"HFCs"** means greenhouse gases consisting of hydrogen, fluorine and carbon;

"imported electricity" means electricity, not generated in a jurisdiction with a cap and trade program approved by the minister, delivered from outside British Columbia to a point of delivery in British Columbia, including electricity imported under an exchange program or swap, but not including electricity that

(a) has a final point of delivery outside British Columbia, or

(b) is owned by the Yukon Electrical Company Limited at the time of import, if the final point of delivery in British Columbia is not connected to the North American electrical transmission grid;

"linear facilities operation" means all of the facilities within British Columbia that are managed or controlled by the same person and carry out one or more activities listed in column 2 of Table 2 in Schedule A;

"mobile equipment" includes

(a) mobile equipment used for the on-site transportation or movement of substances, materials or products, and

(b) other mobile equipment such as tractors, mobile cranes, log transfer equipment, mining machinery, graders, backhoes and bulldozers and other industrial equipment,

but does not include an on road vehicle, an aircraft or a marine vessel;

"NAICS code" means the six digit code applicable to one or more producing units within a reporting operation under the North American Industrial Classification System (NAICS) Canada, 2007, published by Statistics Canada;

"NERC E-tag" means the North American Electric Reliability Corporation (NERC) energy tag representing transactions on the North American bulk electricity market scheduled to flow between or across balancing authority areas;

"on road vehicle" means a motor vehicle that

(a) can exceed a speed of 40 kilometres per hour on a level paved surface, and

(b) has features customarily associated with safe and practical highway use such as a reverse gear (unless the vehicle is a motorcycle), a differential and safety features required by federal or provincial laws,

but does not include a vehicle that exhibits features that render its use on a highway unsafe, impractical or highly unlikely, such as tracked road contact or inordinate size;

"operation representative" means,

(a) in the case of a single operator of a reporting operation,

(i) if the operator of the reporting operation is an individual, the operator,

(ii) if the operator of the reporting operation is a corporation,

(A) a senior officer of the corporation, or

(B) the individual with primary responsibility for the operations and management of the reporting operation, or

(iii) if the operator of the reporting operation is not an individual or a corporation, the individual with primary responsibility for the operations and management of the reporting operation, and

(b) in the case of multiple operators,

(i) an individual who has been authorized in writing by all the operators to act as the operation representative, or

(ii) if subparagraph (i) does not apply, an individual who has been authorized in writing to act as the operation representative by the operator who manages the reporting operation;

"parent company" means a corporation, wherever and however incorporated, that is a holding corporation as defined in the *Business Corporations Act*;

"perfluorocarbons" or **"PFCs"** means the greenhouse gases consisting of carbon and fluorine;

"plant information summary" means the plant information table included in the Final Default Emissions Factor Calculator most recently published by the Western Climate Initiative;

"point of delivery" means a point on an electricity transmission or distribution system where a power supplier delivers electricity to the receiver of that energy, and includes an interconnection with another system or a substation where the transmission provider's transmission and distribution systems are connected to another system;

"power contract" means an arrangement for the purchase of electricity, including, without limitation, power purchase agreements and tariff provisions;

"reporting-only emissions" means carbon dioxide from biomass listed in Schedule C and greenhouse gas emissions from source types listed in items 2 and 25 of Table 1 of Schedule A;

"Schedule B category" means a category of emissions listed in column 2 of Schedule B;

"senior officer" in relation to a corporation, means an officer of the corporation, whether or not the officer is also a director of the corporation, who performs a policy-making function in respect of the corporation and who has the capacity to influence the direction of the corporation;

"single facility operation" means an operation that operates in a facility and carries out one or more activities listed in column 2 of Table 1 of Schedule A, but does not include a linear facilities operation;

"specified power" means imported electricity that the electricity import operation can identify as being generated at an electricity generating facility or sub-facility due to

(a) the operation's control by the owner of the facility or sub-facility,

(b) the identification of the facility or sub-facility in the power contract under which the electricity was imported but does not include Canadian entitlement power;

"sub-facility" means any electrical generating unit or group of electrical generating units within a facility;

"unspecified power" means imported electricity, other than Canadian entitlement power, that is not specified power.

(2) Subject to subsection (3), for the purposes of the definition of "carbon dioxide equivalent" in the Act, the mass of carbon dioxide that would produce the same global warming impact as a given mass of a greenhouse gas is determined by multiplying the mass of the greenhouse gas with the applicable 100 year time horizon global warming potential as set out in column 4 of the Schedule to the Carbon Neutral Government Regulation.

(3) The carbon dioxide equivalent of one or more greenhouse gases is the sum of the carbon dioxide equivalent of each greenhouse gas.

(4) For the purposes of the definition of "operator" in the Act, the operator, in relation to a reporting operation, means

(a) the person or persons who own the reporting operation, and

(b) the person or persons who manage or control the reporting operation.

(5) In section 36 (3) (b) of the Act, **"determinations of emissions by major source category"** means determinations of each type of greenhouse gas listed in column 4 of Table 1 or 2 of Schedule A of this regulation within a Schedule B category.

(6) In this regulation, a reference to "ISO" and a number refers to a standard made by the International Organization for Standardization, as amended from time to time, and named in part by that number.

(7) In this regulation, a reference to "WCI" and a number refers to a standard set out by the Western Climate Initiative in the Western Climate Initiative's Final Essential Requirements of Mandatory Reporting designated by that number, as amended from time to time and, where the number refers to a heading within the Final Essential Requirements of Mandatory Reporting, includes all the standards under that heading.

[am. B.C. Reg. 376/2010, Sch. s. 1.]

Effect of amendments

1.1 Unless otherwise indicated in this regulation, amendments to the regulation or to the WCI standards incorporated by reference in this regulation apply to the reporting period immediately following that in which the amendment was made.

[en. B.C. Reg. 376/2010, Sch. s. 2.]

Attribution of greenhouse gas

2 (1) Subject to subsection (3), for the purposes of the definition of "attributable" in the Act, a greenhouse gas emission is attributable to a single facility operation if

(a) the operation carried out an activity listed in column 2 of Table 1 of Schedule A,

(b) the operation emitted a greenhouse gas from a source type listed in column 3 of Table 1 of Schedule A opposite that activity, and

(c) the greenhouse gas so emitted is in a category of greenhouse gas type listed in column 4 of the applicable table opposite the source type listed in column 3.

(2) Subject to subsection (3), for the purposes of the definition of "attributable" in the Act, a greenhouse gas emission is attributable to a linear facilities operation if

(a) the operation carried out an activity listed in column 2 of Table 1 or Table 2 of Schedule A, other than an activity listed in item 2 of Table 1,

(b) the operation emitted a greenhouse gas from a source type listed in column 3 of Table 1 or Table 2 of Schedule A opposite that activity, and

(c) the greenhouse gas so emitted is a category of greenhouse gas type listed in column 4 of the applicable table opposite the source type listed in column 3.

(3) The greenhouse gas emissions attributable to a single facility operation or a linear facilities operation that combusts coal include

(a) emissions attributable to the operation under subsection (1) or (2), and

(b) emissions associated with the storage of coal combusted by the operation as determined using the methodologies specified in a code, standard or rule referred to in row 7, column 5 in Table 1 of Schedule A.

(4) For the purposes of the definition of "attributable" in the Act, the greenhouse gas emissions attributable to an electricity import operation are the emissions associated with production of the electricity imported by the operator of the electricity import operation, as determined using the applicable methodologies set out in Schedule D.

[am. B.C. Reg. 376/2010, Sch. ss. 3 and 4.]

Application — reporting operations

3 (1) Subject to subsection (2), this regulation applies to all reporting operations.

(2) This regulation does not apply to a public sector organization, as defined in the *Greenhouse Gas Reduction Targets Act*, other than the British Columbia Hydro and Power Authority and any of its subsidiaries to the extent set out in subsection (3).

(3) This regulation applies to the British Columbia Hydro and Power Authority and its subsidiaries only in respect of attributable greenhouse gas emissions from electricity generating facilities, electricity transmission facilities or electricity import operations.

[am. B.C. Reg. 376/2010, Sch. s. 5.]

Application — landfill gas emissions

4 Nothing in this regulation requires an operator of a reporting operation to report emissions of landfill gas as defined in the Landfill Gas Management Regulation, B.C. Reg. 391/2008.

Part 2 — Reporting Greenhouse Gas Emissions

Reporting greenhouse gas emissions

5 All greenhouse gas emissions reported under this regulation must be reported in metric tonnes of carbon dioxide equivalent.

Reporting operations

6 (1) For the purposes of the definition of "reporting operation" in the Act,

(a) an operation is a reporting operation for a reporting period if the operation is

- (i) a single facility operation, or
- (ii) a linear facilities operation

that, during the reporting period, has a total amount of attributable greenhouse gas emissions that is greater than or equal to 10 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C, and

(b) an electricity import operation is a reporting operation.

(2) For the purposes of sections 12 [*content of reports*] and 13 [*methodologies for quantifying greenhouse gas emissions*] of this regulation, a reporting operation that combusts coal is deemed to carry out the activity of coal storage.

[am. B.C. Reg. 376/2010, Sch. s. 6.]

Emissions below threshold

7 Despite section 6 [*reporting operations*], if an operation that in the previous reporting period was a reporting operation under that section has, during a reporting period, emitted a total amount of greenhouse gases that is less than the amount set out in subsection (1) of that section, the reporting operation remains a reporting operation until the earliest of the following:

- (a) if the operation is a single facility operation, the operation does not carry out any of the activities listed in column 2 of Table 1 of Schedule A for the duration of a reporting period, other than industrial wastewater treatment or the use of mobile equipment for the purpose of decommissioning the operation;
- (b) if the operation is a linear facilities operation, the operation does not carry out any of the activities listed in column 2 of Table 2 of Schedule A for the duration of a reporting period;
- (c) if the operation is a single facility operation or a linear facilities operation, the operation emits less than the amount set out in section 6 (1) for 3 consecutive reporting periods.

Reporting period

8 (1) For the purposes of section 4 [*emissions reports*] of the Act, a reporting period for a reporting operation is,

- (a) in the case of a reporting operation that starts to operate
 - (i) on or before January 1, 2010, the period starting on January 1, 2010 and ending December 31, 2010, or
 - (ii) after January 1, 2010, the period beginning on the day the reporting operation starts to operate and ending on the last day of the calendar year in which the reporting operation started to operate, and
- (b) each calendar year following the calendar year set out in paragraph (a), as applicable.

(2) Despite subsection (1), if a reporting operation permanently ceases to operate before the end of the reporting period referred to in subsection (1), the end of the reporting period for that operation is the end of the last day on which the reporting operation was operating.

Registration of reporting operations

9 (1) The operator of a single facility operation or linear facility operation that may become a reporting operation under this regulation in a reporting period, that did not submit an emissions report for the calendar year immediately prior to that reporting period, must

- (a) no earlier than January 1 and no later than February 28 of the reporting period, forecast whether or not, during the reporting period, its total attributable greenhouse gas emissions not including carbon dioxide from biomass listed

in Schedule C are likely to be greater than or equal to 10 000 tonnes of carbon dioxide equivalent, and

(b) register under this section

(i) if the emissions forecast under paragraph (a) are greater than or equal to 10 000 tonnes of carbon dioxide equivalent, or

(ii) in relation to an operation for which emissions forecast under paragraph (a) were less than 10 000 tonnes of carbon dioxide equivalent, if its attributable greenhouse gas emissions during that reporting period exceed 10 000 tonnes of carbon dioxide equivalent.

(2) An operator that is required to register

(a) under subsection (1) (b) (i) must register by March 31 of the reporting period referred in subsection (1), or

(b) under subsection (1) (b) (ii) must register within 90 days of the date on which the total amount of attributable greenhouse gas emissions for the reporting period equals or exceeds 10 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C.

(2.1) The operator of an electricity import operation that has not previously submitted an emission report respecting the operator's operation must register

(a) by March 31, 2011, or

(b) if operation begins after January 1, 2011, within 90 days of the day the operation begins.

(3) The registration must be in the electronic or other form provided by the director, if any, and include the following information:

(a) the legal name and head office mailing address of each operator of a reporting operation;

(a.1) a statement specifying whether the reporting operation is a single facility operation, linear facility operation or an electricity import operation;

(b) the trade name, if any, associated with the reporting operation;

(c) in the case of a single facility operation, the name, street address and geographic coordinates of the facility;

(c.1) in the case of a linear facilities operation, the name, street address and geographic coordinates of each facility within the operation that has attributable greenhouse gas emissions during the reporting period of 10 000 tonnes or more carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C;

(d) the NAICS codes of the reporting operation;

(e) the name and business contact information, including business mailing address, business e-mail address and business telephone number, of

(i) the operation representative, and

(ii) the person primarily responsible for preparing and submitting the emissions report, if known;

(f) the legal names of parent companies of the operator, if any, their head office mailing addresses and their percentage of ownership of the operator.

(4) In addition to the information referred to in subsection (3), if the operation is a single facility operation or a linear facilities operation, the registration must

(a) identify activities carried out by the operation that are listed in column 2 of Table 1 or Table 2 of Schedule A, and

- (b) forecast within which of the following ranges the total attributable greenhouse gas emissions, not including carbon dioxide from biomass listed in schedule C, will most likely fall for the reporting period in which the reporting operation is registering:
- (i) 10 000 to 25 000 tonnes of carbon dioxide equivalent;
 - (ii) 25 000 to 50 000 tonnes of carbon dioxide equivalent;
 - (iii) 50 000 to 100 000 tonnes of carbon dioxide equivalent;
 - (iv) more than 100 000 tonnes of carbon dioxide equivalent.
- (5) Within 90 days of an operation ceasing to be a reporting operation in accordance with section 7 (a) or (b) [*emissions below threshold*], the operator of the operation must notify the director that the operation has ceased to be a reporting operation.

[am. B.C. Reg. 376/2010, Sch. s. 7.]

Part 3 — Reporting Requirements

Duty to collect data, quantify and submit a report respecting greenhouse gas emissions

- 10** (1) The operator of a reporting operation must
- (a) collect the data necessary to quantify the greenhouse gas emissions attributable to the facility or facilities during a reporting period, and
 - (b) submit an emissions report to the director respecting the greenhouse gas emissions referred to in paragraph (a).
- (2) If the operator of a reporting operation changes during a reporting period, the person who was the operator as of the last day of the reporting period must submit the report.
- (3) If the operator of a reporting operation changes during a reporting period, persons who are no longer operators of the reporting operation as of the last day of the reporting period are not required to submit a report if the information necessary for reporting has been provided to subsequent operators.
- (4) If a reporting operation ceases operations during a reporting period, the last operator of the reporting operation is required to report for that reporting period.

Timing and form of reports

- 11** An emissions report under section 4 (1) of the Act must be submitted
- (a) to the director on or before March 31 of the calendar year immediately following the calendar year of the reporting period, and
 - (b) in the electronic or other form provided by the director, if any.

Content of reports

- 12** (1) In this section "**process flow diagram**" means a diagram that indicates in reasonable schematic detail the processes that cause emissions occurring at
- (a) the facility, in the case of a single facility operation, or
 - (b) the facilities, in the case of a linear facilities operation,
- and indicates the sources of those emissions over 100 tonnes of carbon dioxide equivalent and the sources of

emissions from a single type of source that cumulatively exceed 250 tonnes of carbon dioxide equivalent.

(1.1) An emissions report must contain the following information:

(a) the trade name, if any, associated with the reporting operation;

(b) the legal name and head office mailing address of the operator;

(c) the unique identification number of the reporting operation provided by the director, if any;

(d) in the case of a single facility operation,

(i) the name of the facility;

(i.1) the street address of the facility in which the reporting operation operated during the reporting period,

(ii) the geographical coordinates of the facility in which the reporting operation operated during the reporting period,

(iii) the national pollutant release inventory identification number assigned to the operation by Environment Canada; and

(iv) for the 2012 and subsequent reporting periods, a process flow diagram;

(e) in the case of a linear facilities operation, for the 2012 and subsequent reporting periods, a process flow diagram;

(f) if the facility is a single facility operation or a linear facilities operation, the NAICS codes of the reporting operation;

(f.1) the business number, as defined in the *Income Tax Act* (Canada), and Dun and Bradstreet (D-U-N-S) number of the operator of the reporting operation;

(g) identification of the reporting period to which the report relates;

(h) the date the emissions report is submitted;

(i) if the facility is a single facility operation or a linear facilities operation, the current permit numbers of the reporting operation issued under section 14 of the *Environmental Management Act*, if any;

(j) if the facility is a single facility operation or a linear facilities operation, the total carbon dioxide in tonnes captured for

(i) on-site use,

(ii) on-site storage, or

(iii) transferred off-site

that are from the reporting operation during the reporting period;

(k) the name and business contact information, including business mailing address, business e-mail address and business telephone number, of

(i) the operation representative, and

(ii) the person primarily responsible for preparing and submitting the emissions report;

(l) a statement signed and dated by the operation representative, certifying that

(i) the operation representative has examined the emissions report, and

- (ii) the emissions report has been prepared in accordance with this regulation;
 - (m) the legal names of the parent companies of the operator, if any, their head office mailing addresses and their percentage of ownership of the operator;
 - (n) if the facility is a single facility operation or a linear facilities operation, the information required under section 16 [*reporting emissions before 2010*];
 - (o) a verification statement, if required under Part 4 [*Verification*].
- (2) Except for a reporting operation referred to in subsection (3) and an electricity import operation, every reporting operation must include the following additional information in the emissions report:
- (a) the total greenhouse gas emissions attributable to the reporting operation during the reporting period;
 - (b) the emissions referred to in paragraph (a) by Schedule B category;
 - (c) for each source type listed in column 3 of Tables 1 and 2 of Schedule A, opposite an activity carried out by the reporting operation listed in column 2 of the tables, emissions referred to in paragraph (a) from that source type, disaggregated by each greenhouse gas type listed in column 4 opposite the source type;
 - (d) for each activity carried out by the operation listed in column 2 of Tables 1 and 2 of Schedule A, any additional information referred to in the standards, codes or rules listed opposite the activity in column 5;
 - (e) identification of the methodologies used to quantify emissions from each source type listed in column 3 of Tables 1 and 2 of Schedule A opposite each activity carried out by the operation in column 2 and, if a methodology used is not a methodology referred to in the standards, codes or rules listed in column 5 for that source type, a description of the methodology used;
 - (f) in relation to any alternative parameter measurement methodology used to quantify emissions under section 13 (5) [*methodologies for quantifying greenhouse gas emissions*], other than an alternative methodology that has been approved under subsection (6) of that section, an explanation as to why
 - (i) it is impracticable to use the prescribed methodology, and
 - (ii) the alternative methodology is as accurate as practicable;
 - (g) if more than one methodology has been used to quantify greenhouse gas emissions from a source type referred to in paragraph (e),
 - (i) an identification of which emissions have been quantified by which methodology, and
 - (ii) a disaggregation of any reporting of emissions from the emission source type by methodology used;
 - (h) in relation to a greenhouse gas emission emitted by a reporting operation that is not attributable to the reporting operation under section 2 [*attribution of greenhouse gas*], but which exceeds 100 metric tonnes of carbon dioxide equivalent during a reporting period, the following information:
 - (i) a description of any activities associated with unattributed emissions, a description of the sources of the unattributed emissions, and the types of greenhouse gases emitted by each source type described;
 - (ii) the categorization of each source referred to in subparagraph (i) by Schedule B category.
- (2.1) The operator of an electricity import operation must include the following additional information in the emissions report
- (a) the total greenhouse gas emissions attributable to the operation during the reporting period;
 - (b) the information referred to in section 5 of Schedule D.

(3) In the case of a reporting operation other than an electricity import operation that has attributable greenhouse gas emissions, during a reporting period, of less than 10 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C, and that was not subject to the verification requirements set out in Part 4 [*Verification*] in the immediately preceding reporting period, the emissions report must include

(a) the total greenhouse gas emissions attributable to the reporting operation during the reporting period,

(b) a statement, in the form provided by the director, by the operation representative certifying that the amount referred to in paragraph (a) is complete and accurate,

(c) the information required under subsection (1), and

(d) an explanation of why emissions are now below 10 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C.

(4) In the case of a reporting operation that is a linear facilities operation, other than a reporting operation referred to in subsection (3), the emissions report must include

(a) the information referred to in subsection (1) for the reporting operation,

(b) the information referred to in subsection (1) (d) and (2) reported separately for each individual facility within the operation that has attributable greenhouse gas emissions that are greater than or equal to 10 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C, during the reporting period,

(c) the information referred to in subsection (2) reported for the aggregate of the individual facilities other than facilities referred to in paragraph (b) of this subsection, and

(d) the information referred to in subsections (1) (d) and (2) (a), (b) and (c) for each individual facility within the operation other than a facility referred to in paragraph (b) of this subsection that has attributable greenhouse gas emissions, during the reporting period, of more than 1 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide produced from biomass listed in Schedule C.

[am. B.C. Regs. 36/2010; 376/2010, s. 8.]

Methodologies for quantifying greenhouse gas emissions

13 (1) In this section, "**parameter**" means a physical property that is measured for the purposes of quantifying emissions.

(2) Subject to this section and section 14 [*choice between direct measurement and mass balance-based methodology*], if one or more methodologies for quantifying emissions from a source type in column 3 of a table in Schedule A are specified for that source type in a code, standard or rule referred to in column 5 of a table in that Schedule, the operator of the reporting operation must use one of those methodologies to quantify the amount of greenhouse gas emissions from that source type.

(2.1) An electricity import operation must quantify emissions

(a) of specified power as specified in section 2 of Schedule D, and

(b) of unspecified power as specified in section 3 of Schedule D.

(2.2) Subsections (2), (3), (4), (5) and (5.1) do not apply to electricity import operations.

(3) If the code, standard or rule referred to in subsection (2) specifies different methodologies for different circumstances, the operator of the reporting operation must use the methodology appropriate to the circumstances.

(4) The operator of a reporting operation may quantify attributable greenhouse gas emissions from one or more

units, processes, activities or operations for which particular methodologies are specified under subsections (2) and (3) by using a replacement methodology not referred to in subsection (2) if

(a) the total amount of all greenhouse gas emissions quantified using the replacement methodologies does not exceed the lower of

(i) 20 000 metric tonnes of carbon dioxide equivalent, or

(ii) 3% of the greenhouse gas emissions attributable to the reporting operation during the reporting period, not including carbon dioxide produced from biomass listed in Schedule C, and

(b) the replacement methodology will not lead to a bias in the amount of greenhouse gas emissions quantified using the replacement methodology.

(5) For the 2010 reporting period, the operator of a reporting operation may measure a parameter using an alternative measurement methodology inconsistent with the methodology specified for that parameter under subsections (2) and (3) if

(a) it is not practicable to use the specified parameter measurement methodology because the operator has not been able to establish systems necessary to use that methodology within the time necessary to use the methodology for the 2010 reporting period,

(b) the alternative parameter measurement methodology is as accurate as practicable, and

(c) for an alternative parameter measurement methodology used after March 31, 2010, the methodology has been approved by the director.

(5.1) If, as a result of an amendment to column 5 of the tables in Schedule A, or an amendment to the standard referenced in column 5 of the tables, an operator would otherwise be required during a reporting period to use a methodology for measuring a parameter that the operator was not required to use in the previous reporting period, the operator may, for the first reporting period during which the methodology is otherwise required, use an alternative measurement methodology inconsistent with the methodology that is otherwise required if

(a) it is not practicable to use the specified parameter measurement methodology because the operator has not been able to establish systems necessary to use that methodology within the time necessary to use the methodology for the reporting period,

(b) the alternative parameter measurement methodology is as accurate as is practicable, and

(c) for an alternative parameter measurement methodology used after March 31 of the reporting period, the methodology has been approved by the director.

(6) An application for an approval under subsection (5) (c) or (5.1) (c) must be submitted to the director in the electronic or other form provided by the director on or before February 1 of the reporting period, and must include the following information:

(a) an explanation as to why it is not practicable to use the prescribed methodology;

(b) justification for why the alternative parameter measurement methodology is as accurate as practicable;

(c) an estimate of the level of uncertainty associated with the alternative parameter measurement methodology;

(d) an estimate of the percentage of operation emissions to be calculated using the alternative methodology.

(7) The director may

(a) approve, approve with modifications or reject an application for approval under subsection (5) (c) or (5.1) (c), or

(b) require further information in relation to the application.

(8) If the director has not taken an action under subsection (7) by March 3 of the reporting period, the application is deemed to be approved.

[am. B.C. Reg. 376/2010, s. 9.]

Choice between direct measurement and mass balance-based methodology

14 (1) In this section, "**mass balance-based methodology**" means a methodology that involves the quantification of emissions by applying the conservation of mass principle to the feedstock consumed and emissions or other substances produced by a process, and includes quantification of emissions by application of an emissions factor to a volume or mass of fuel or other feedstock.

(2) If, in circumstances authorized by this regulation, the operator has the option to choose between a direct measurement methodology or a mass balance-based methodology to quantify greenhouse gas emissions, the operator must continue to use the chosen methodology for all future emissions reports unless

(a) a change in method is approved in advance by the director, or

(b) the applicable greenhouse gas emissions are less than the lower of

(i) 20 000 metric tonnes of carbon dioxide equivalent, or

(ii) 3% of the total greenhouse gas emissions attributable to the reporting operation during the reporting period, not including carbon dioxide produced from biomass listed in Schedule C.

(2.1) If, in circumstances authorized by this regulation, the operator has the option to choose between 2 or more direct measurement methodologies to quantify greenhouse gas emissions, the operator must continue to use the chosen methodology for all future emissions reports unless

(a) a change in methodology is approved in advance by the director,

(b) the change in methodology is to a higher numerically rated calculation method,

(c) the change in methodology is to a more accurate calculation method, or

(d) the applicable greenhouse gas emissions are less than the lower of

(i) 20 000 metric tonnes of carbon dioxide equivalent, or

(ii) 3% of the total greenhouse gas emissions attributable to the reporting operation during the reporting period, not including carbon dioxide produced from biomass listed in Schedule C.

(3) For greater certainty, subsection (2) does not apply to an operator that, in respect of a previous reporting period or portion of a period, had the option to choose between a direct measurement methodology and a mass balance-based methodology to quantify greenhouse gas emissions, but no longer has that option because

(a) of the adoption of, or a change in, the methodologies specified for that source type in a code, standard or rule referred to in column 5 of Table 1 or 2 of Schedule A,

(b) the emissions exceed the threshold for use of replacement methodologies under section 13 (4) (a) [*methodologies for quantifying greenhouse gas emissions*], or

(c) an alternative parameter measurement methodology may no longer be used under section 13 (5).

(3.1) For greater certainty, subsection (2.1) does not apply to an operator that, in respect of a previous reporting period or portion of a reporting period, had the option to choose between 2 or more direct measurement methodologies to quantify greenhouse gas emissions, but no longer has that option because

(a) of the adoption of, or a change in, the methodologies specified for that source type in a code, standard or rule

referred to in column 5 of Table 1 or 2 of Schedule A,

(b) the emissions exceed the threshold for use of replacement methodologies under section 13 (4) (a) [*methodologies for quantifying greenhouse gas emissions*], or

(c) an alternative parameter measurement methodology may no longer be used under section 13 (5).

(4) An operator of a reporting operation previously operated by another operator must use the methodology chosen by the previous operator

(a) under subsection (2), unless paragraph (a) or (b) of that subsection applies, or

(b) under subsection (2.1), unless paragraph (a), (b), (c) or (d) of that subsection applies.

[am. B.C. Reg. 376/2010, Sch. s. 10.]

Instrumentation

15 An instrument used to measure greenhouse gas emissions attributable to a reporting operation during a reporting period or to gather data used in the quantification of attributable emissions must

(a) be calibrated and maintained according to

(i) the manufacturer's specifications, or

(ii) other written specifications, if those specifications would result in an instrumentation reading that is at least as accurate as the manufacturer's specifications, and

(b) meet any requirements of a standard, code or rule referred to in column 5 of Table 1 or 2 of Schedule A applicable to the source type of the emissions.

Reporting emissions before 2010

16 (1) The operator of a single facility operation or a linear facilities operation that is a reporting operation must, in accordance with this section,

(a) quantify the greenhouse gas emissions attributable to the operation during each calendar year from 2006 to 2009, and

(b) include in its first emissions report the information required by subsection (2) for any of the calendar years from 2006 to 2009 in which total greenhouse gas emissions attributable to the operation, not including carbon dioxide produced from biomass listed in Schedule C, are greater than 20 000 metric tonnes of carbon dioxide equivalent.

(2) An emissions report referred to in subsection (1) (b) must contain

(a) the total of all greenhouse gas emissions attributable to the reporting operation for each calendar year, not including carbon dioxide produced from biomass listed in Schedule C, and

(b) the emissions, including carbon dioxide produced from biomass listed in Schedule C and other biomass, disaggregated as required by section 12 (2) (b) and (c) [*content of reports*] in relation to emissions in a reporting period

for each calendar year referred to in that subsection.

(3) Despite section 13 (2) [*methodologies for quantifying greenhouse gas emissions*], for quantifying emissions during the calendar years 2006 to 2009, the operator is required to use a methodology specified in section 13 (2) only insofar as it is practical, based on information

(a) in the custody or control of the operator, or

(b) to which the operator has, or reasonably can obtain, access.

(4) If use of the methodology specified in section 13 (2) is not practical, the operator must use a methodology that is as accurate as possible given the information accessible to, or in the custody or control of, the operator.

[am. B.C. Reg. 376/2010, Sch. s. 11.]

Supplementary reports

17 (1) A supplementary report submitted under section 4 (2) [*emissions reports*] of the Act must include the following:

(a) a revised emissions report, in the electronic or other form provided by the director, if any, in accordance with section 12 of this regulation, including any

(i) corrections to inaccuracies or omissions in previous reports, and

(ii) updates to any information that was required to be reported in a previous report that has changed;

(b) an annex, in the electronic or other form provided by the director, if any, that includes

(i) a description of the differences between the revised report and the original emissions report submitted under section 4 (1) [*emissions reports*] of the Act,

(ii) for a supplementary report correcting inaccuracies or omissions, a description of why the inaccuracy or omission occurred, and

(iii) for a supplementary report correcting inaccuracies or omissions in an emissions report for which a verification statement was required under section 20 [*requirement for verification of emissions report*] or 21 (1) [*requirement for verification of supplementary report*], a calculation of the difference between

(A) the total greenhouse gas emissions attributable to the reporting operation during the reporting period, as reported in the most recent emissions report for the same reporting period for which a verification statement was required, and

(B) the total greenhouse gas emissions attributable to the reporting operation during the reporting period, as reported in the revised emissions report

measured as a percentage of total emissions attributable to the reporting operation during the reporting period, as reported in the emissions report referred to in clause (A).

(2) A supplementary report must be submitted

(a) in respect of a supplementary report that is required to include a verification statement under section 20 (2), by September 1 of the calendar year following the reporting period, or

(b) in all other cases, within 60 days of the operator becoming aware of the omission, inaccuracy or change in information under subsection 4 (2) [*emissions reports*] of the Act.

(3) Subject to subsection (4), a supplementary report is not required to be submitted under section 4 (2) [*emissions reports*] of the Act in relation to inaccuracies, omissions or changes if the difference between

(a) the total greenhouse gas emissions attributable to the reporting operation during a reporting period, not including reporting-only emissions, as reported in the most recent emissions report for the same reporting period, and

(b) the total greenhouse gas emissions attributable to the reporting operation during that reporting period, not including reporting-only emissions, calculated in accordance with this regulation,

does not exceed the lesser of 1% or 1000 tonnes of total greenhouse gas emissions attributable to the reporting operation during the reporting period, not including reporting-only emissions, as reported in the emissions report referred to in paragraph (a).

(4) A supplementary report is required to be submitted under section 4 (2) [*emissions reports*] of the Act if

(a) an inaccuracy, omission or change increases the total greenhouse gas emissions attributable to the reporting operation during that reporting period to an amount that is greater than or equal to 25 000 metric tonnes of carbon dioxide equivalent, not including reporting-only emissions, or

(b) the total greenhouse gas emissions attributable to the reporting operation

(i) from reporting-only emissions, as reported in the most recent emissions report for the same reporting period, and

(ii) from the combination of reporting-only emissions, calculated in accordance with this regulation,

exceed the lesser of 3% or 3000 tonnes of the total greenhouse gas emissions attributable to the reporting operation during the reporting period as reported in the emissions report referred to in paragraph (a).

[am. B.C. Reg. 376/2010, Sch. s. 12.]

Part 4 — Verification

Definitions

18 In this Part:

"independent peer reviewer" means an individual employed or contracted by a verification body to provide an independent peer review of the verification for the purposes of section 26 (2) (k) [*contents of a verification statement*];

"lead verifier" means the individual employed or contracted by the verification body who is responsible for expressing the opinion of the verification body on the correctness and accuracy of the contents of the verification statement;

"threat to independence" means a factor that might reasonably be expected to potentially reduce the ability of a verifier, verification body, lead verifier or independent peer reviewer to fulfill their role in the verification in an ethical, objective and independent manner, and, without limitation, includes the following:

(a) linkage of payment for verification of whether the verification statement meets the requirements referred to in section 24 (1) and (2) [*requirements of verifications statement*];

(b) verifiers, verification body, lead verifier, independent peer reviewer or related persons having a direct or indirect financial interest in the reporting operation;

(c) verifiers, verification body, lead verifier or independent peer reviewer having designed components of a reporting operation's

(i) greenhouse gas monitoring system,

(ii) greenhouse gas inventory,

(iii) greenhouse gas reporting system, or

(iv) data management or information systems on which the systems or inventory described in subparagraphs (i) to (iii) rely;

(d) verifiers, lead verifier or independent peer reviewer having a familiarity or relationship with the reporting operation or its staff that decreases appropriate reliance on objective evidence;

(e) verifiers, verification body, lead verifier or independent peer reviewer having a perception of being intimidated or coerced;

"verification body" means a person

(a) accredited by a member of the International Accreditation Forum, in accordance with ISO 14065 through a program developed under ISO 17011, or

(b) with respect to verifications that are completed on or before December 31, 2012, accredited as a verification body by California Air Resources Board under Title 17, California Code of Regulation, section 95132;

"verification statement" means a written declaration by a verification body that includes the information referred to in section 26 [*contents of a verification statement*] and attests as to whether or not an operator's emissions report is free of material errors, omissions or misrepresentations and whether the emissions report conforms to the requirements of this regulation;

"verifier" means an individual employed or contracted by a verification body, or by a subcontractor of a verification body, for the purpose of conducting a verification.

[am. B.C. Reg. 376/2010, Sch. s. 13.]

Application of Part 4

19 (1) This Part applies to a reporting operation in respect of any emissions report submitted under section 4 of the Act for a reporting period during which a reporting operation has attributable greenhouse gas emissions greater than or equal to 25 000 metric tonnes of carbon dioxide equivalent, not including reporting-only emissions.

(2) Subject to subsection (3), this Part continues to apply to a reporting operation in respect of any emissions report submitted under section 4 of the Act for the 3 consecutive reporting periods following a reporting period referred to in subsection (1).

(3) Nothing in this Part requires the operator of an operation to verify emissions occurring in a reporting period following a reporting period during which that operation ceased to be a reporting operation under section 7 (a) or (b).

[am. B.C. Reg. 376/2010, Sch. s. 14.]

Requirement for verification of emissions report

20 (1) Subject to subsections (2) and (3), the emissions report submitted under section 4 (1) [*emissions reports*] of the Act must include a verification statement.

(2) In respect of emissions reports submitted for the 2010 and 2011 reporting periods, the operator may choose not to include a verification statement in the emissions report submitted under section 4 (1) of the Act, but must, by September 1 of the year in which the report submitted under subsection 4 (1) of the Act is due, submit a supplementary report that includes a verification statement.

(3) Information required under section 12 (1) (n) and (2) (h) [*content of reports*] does not need to be verified in a verification statement under this section.

Requirement for verification of supplementary report

21 (1) A supplementary report submitted under section 4 (2) [*emissions reports*] of the Act, other than a supplementary report for which a verification statement is required under section 20 (2) [*requirement for inclusion of verification statement in emissions report*] of this regulation, must be accompanied by a verification statement

(a) if

(i) the supplementary report corrects inaccuracies or omissions in an emissions report for which a verification statement was required under section 20 or this section, and

(ii) the difference between

(A) the total greenhouse gas emissions attributable to the reporting operation during a reporting period as reported in the most recent emissions report for the same reporting period for which a verification statement was required, and

(B) the total greenhouse gas emissions attributable to the reporting operation during that reporting period as reported in the revised report referred to in section 17 (1) (a)

exceeds 5% of total greenhouse gas emissions attributable to the reporting operation during the reporting period, as reported in the emissions report referred to in clause (A), or

(b) if

(i) the emissions reports previously submitted for the reporting period to which the supplementary report relates have not been verified in accordance with section 20, and

(ii) the total greenhouse gas emissions attributable to the reporting operation during that reporting period, as reported in the supplementary report, are greater than or equal to 25 000 metric tonnes of carbon dioxide equivalent, not including carbon dioxide from biomass listed in Schedule C.

(2) Subject to subsection (3), a verification statement required by subsection (1), other than a verification statement in relation to a supplementary report referred to in subsection (1) (b), may be limited to verification of the corrections contained in

(a) the supplementary report referred to in subsection (1), and

(b) other supplementary reports submitted prior to the supplementary report referred to in subsection (1) that correct inaccuracies or omissions in the most recent emissions report for the same reporting period for which a verification statement was required.

(3) Information required under section 12 (1) (n) and 12 (2) (h) [content of reports] does not need to be verified in a verification statement under this section.

Conflict of interest

22 (1) Subject to subsection (2), a verifier, verification body, lead verifier or independent peer reviewer must, prior to the verification, ensure that it is free of any potential threat to independence in relation to the verification.

(2) A verifier, verification body, lead verifier or independent peer reviewer that is not free of any potential threat to independence in relation to a verification may participate in the verification if, prior to the verification, they establish and document strategies for mitigating any threat to independence, and during the verification comply with those strategies, such that a reasonable person would conclude that the potential for the threat to independence to influence the objectivity of the verification is insignificant.

Verification

23 (1) The verification used to prepare a verification statement for an emissions report must comply with the requirements specified in subsection (2) and in ISO 14064-3.

(2) The verification must include the following:

(a) a review of records relevant to the verification;

(b) an assessment of the sources and magnitude of potential errors, omissions and misrepresentations for the

purposes of designing an appropriate verification plan;

(c) a verification plan, including a sampling plan;

(d) one or more site visits as described in subsection (3);

(e) application of verification procedures at a reasonable level of assurance;

(f) an evaluation of the consistency of the emissions report and the methodologies used to quantify emissions with the requirements in this regulation;

(g) an assessment of the materiality of any errors, omissions or misrepresentations identified.

(3) Site visits required under subsection (2) (d) must comply with the following:

(a) for a single facility operation, a visit to the facility;

(b) for a linear facilities operation, at least one site visit must be made to each individual facility within a reporting operation where emissions exceed 25 000 tonnes of carbon dioxide equivalent;

(c) for both single facility operations and linear facilities operations, at least one site visit must be made to the head office, regional office or other location of central data management, if different from the facilities visited under paragraph (a) or (b);

(d) for a linear facilities operation, additional site visits must be made to sources within the operation if necessary to provide a reasonable level of assurance that the emissions report is materially correct.

[am. B.C. Reg. 376/2010, Sch. s. 15.]

Requirements of verification statement

24 (1) Subject to sections 20 (3) [*requirement for verification of emissions report*] and 21 (2) and (3) [*requirement for verification of supplementary report*], a verification statement must include a statement that, based on the process and procedures conducted by the verification body, it is the opinion of the verification body that

(a) the assertions in the emissions report are materially correct and are a fair and accurate representation of the reporting operation's attributable greenhouse gas emissions for the reporting period, and

(b) the emissions report was prepared and the emissions reported in it quantified in accordance with this regulation.

(2) A verification statement must contain as few qualifications as possible.

(3) For the purposes of subsection (2), the operator of a reporting operation must

(a) exercise due diligence, including due diligence in respect of those matters referred to in section 27 [*processes, documents and records*], in order to minimize the potential for qualifications,

(b) provide a verification body retained by the operator with full and timely access to all records relevant to the verification, and

(c) if necessary and consistent with this regulation, make such revisions to emissions reports as are needed to minimize or eliminate qualifications.

(4) Without limiting the requirements of this Part, if the operator of a reporting operation is unable to obtain from a verification body a verification statement expressing the opinion described in subsection (1), the operator must still submit a verification statement under section 20 [*requirement for verification of emissions report*] or 21 [*requirement for verification of supplementary report*].

(5) For greater certainty, nothing in this regulation requires a verification body to express the opinion in subsection

- (1) (a) and (b) or to not include appropriate qualifications in a verification statement.
- (6) A verification statement must be submitted in the electronic or other form provided by the director, if any, and contain the information required by section 26 [contents of verification statement].

Deemed errors, omissions or misrepresentations

25 For the purposes of section 24 [requirements of verification statement], an emissions report is deemed to have material errors, omissions or misrepresentations if

- (a) the individual or aggregate effect of one or more errors, omissions or misrepresentations related to the emissions report make it probable that the judgment of a reasonable person, with knowledge of the business and greenhouse gas accounting, judging an assertion required to be in the report, would have been changed or influenced by the error, omission, or misrepresentation, or
- (b) based on the verification, the verification body concludes that total reported greenhouse gas emissions not including reporting-only emissions attributable to the reporting operation during the reporting period are less than 95 percent accurate using the following equation:

$$PA = 100 - \left[\frac{SOU}{TRE} \times 100 \right]$$

where:

- PA = Percent accuracy;
- SOU = The net result of summing overstatements and understatements resulting from errors, omissions and misrepresentation related to attributable emissions other than reporting-only emissions;
- TRE = Total reported emissions, not including reporting-only emissions.

[am. B.C. Reg. 376/2010, Sch. s. 16.]

Contents of a verification statement

26 (1) In this section, "**conflict of interest report**" means a report that includes

- (a) an assessment of threats to independence,
- (b) strategies for mitigating threats to independence, and
- (c) a report on implementation of the strategies referred to in paragraph (b)

prepared by the verification body for the purpose of documenting compliance with section 22 [conflict of interest].

(2) In addition to the requirements of section 24 [requirements of verification statement], a verification statement must include the following information:

- (a) the name and business address of the verification body;
- (b) the name, business email address and business telephone number of the lead verifier;
- (b.1) the name, business email address and business telephone number of the verifiers who assisted the lead verifier in performing the verification;

- (c) with respect to the reporting operation, the information referred to in section 12 (1) (a) to (e), (g), and (k) *[content of reports]*;
- (d) the date of the verification statement;
- (e) the scope of the verification statement, including whether it relates to all those matters required to be verified under sections 20 *[requirement for verification of emissions report]* and 21 *[requirement for verification of supplementary report]*;
- (f) the amount referred to in section 12 (2) (a) *[content of reports]*, with subtotals providing the total amounts of carbon dioxide from non-biomass, carbon dioxide from biomass listed in Schedule C, and carbon dioxide from biomass not listed in Schedule C that are attributable to the reporting operation during the reporting period;
- (g) the name of the member of the International Accreditation Forum with whom the verification body is accredited and any associated identification numbers, accompanied by an affirmation that the accreditation status is in good standing;
- (h) a summary of the work the verification body performed as part of the verification, including a description of
- (i) the verification procedures used to test the data included in the emissions report prepared by the reporting operation, and
- (ii) the types of additional information, not in the emissions report, that were directly or indirectly relied on by the verification body in the course of conducting the verification;
- (i) the date of every site visit that was conducted;
- (j) a signed declaration by the lead verifier on behalf of the verification body that
 - (i) the lead verifier represents an accredited verification body,
 - (ii) the evidence obtained during the verification is sufficient and appropriate to support the verification opinion,
 - (iii) the verification statement is true, accurate and complete, and
 - (iv) the verification work documented in the statement was conducted in accordance with this regulation;
- (k) a signed declaration from an independent peer reviewer that
 - (i) the independent peer reviewer was not involved in the verification documented in the verification statement, other than providing an independent peer review, and
 - (ii) the verification used to produce the verification statement was appropriate;
- (l) a conflict of interest report.

[am. B.C. Reg. 376/2010, Sch. s. 17.]

Part 5 — General

Processes, documents and records

27 The operator of a reporting operation must establish processes and maintain records that are designed

- (a) in respect of records, to accurately and fairly reflect the greenhouse gas emissions attributable to the reporting operation,
- (b) to allow an inspector or a verification body to determine that emissions reports are materially correct and are a fair and accurate representation of the greenhouse gas emissions attributable to the reporting operation during each

reporting period,

- (c) to permit preparation of emissions reports or supplementary reports in accordance with this regulation, and
- (d) to prevent or provide timely detection of errors, omissions or misrepresentations.

Record retention

28 (1) The operator of a reporting operation must retain, in paper or electronic form, all records related to the emissions report for a period of not less than 7 years from the date the emissions report or supplementary report is submitted to the director, including but not limited to the following:

- (a) all records used to quantify greenhouse gas emissions required to be reported under section 12 (2) (a), (b), (c) or (d) [*content of reports*] or supporting other information reported under section 12 (2) (e), including monthly fuel purchase records, fuel meter output, CEMS output, bills or other activity data;
- (b) records of any calculations and methods used to quantify greenhouse gas emissions;
- (c) records of all emission factors used to quantify greenhouse gas emissions;
- (d) all records submitted to the director under this regulation, including the emissions report;
- (e) all records related to any calculations and methods used to substitute for data that has been lost or is missing;
- (f) names, job titles and contact information of the operation representative, the person primarily responsible for preparing and submitting each emissions report and other facility personnel involved in quantifying emissions or quality assurance;
- (g) records indicating what task was performed by each individual referred to in paragraph (f);
- (h) a log prepared for each reporting period documenting any changes in calculations and methods and instrumentation used to quantify greenhouse gas emissions;
- (i) documentation respecting any revisions and reasons for those changes to the emissions report;
- (j) all records related to the verification process for the emissions report;
- (k) all records referred to in section 27 [*processes, documents and records*];
- (l) for electricity import operations, NERC E-tags, power contracts, settlements data, and all other information needed to confirm the transactions and emissions.

(2) In addition to the requirements of subsection (1), if an operator uses a direct measurement methodology to quantify greenhouse gas emissions, the operator must retain, in paper or electronic form, all records related to that methodology for a period of not less than 7 years from the date the emissions report or supplementary report is submitted to the director, including but not limited to the following:

- (a) a list of all data sources monitored;
- (b) a detailed technical description of the direct measurement system;
- (c) raw and aggregated data from the direct measurement system;
- (d) a log book of all system down-times, calibrations, servicing and maintenance of the direct measurement system;
- (e) documentation of any changes in the direct measurement system that occurred during the reporting period.

(3) The documents and records referred to in subsections (1) and (2) must be sufficient to allow for the verification of an emissions report.

(4) The operator must, within 10 business days of a request by the director, provide any documents and records referred to in subsections (1) and (2).

[am. B.C. Reg. 376/2010, Sch. s. 18.]

Publication of information and requests for confidentiality

29 (1) Subject to subsection (4), the director may publish, in relation to a reporting operation or a facility referred to in section 12 (4) (b) [*content of reports*],

(a) information referred to in section 12 (1) (a) to (h),

(b) total greenhouse gas emissions attributable to the reporting operation or facility during a reporting period,

(c) total greenhouse gas emissions attributable to the reporting operation or facility from each major source category during a reporting period,

(d) subtotals of two or more emissions from major source categories referred to in paragraph (c),

(e) for the purpose of publishing information on emissions from a reporting operation that is comparable to information published by Environment Canada or other jurisdictions participating in the Western Climate Initiative, total emissions referred to in paragraph (b) or (c), excluding emissions associated with activities or source types that are not included in emissions totals published by the other jurisdictions,

(f) the status of whether the information referred to in paragraphs (a) to (e) has been verified, and

(g) the following information related to verification of the information referred to in paragraphs (a) to (e):

(i) compliance with Part V [*General*];

(ii) whether a verification statement has been received;

(iii) whether the verification statement includes the statements referred to in section 24 (1);

(iv) any qualifications in the verification statement;

(v) information referred to in section 26 (2) (a), (c) to (g), (j) and (k) [*contents of a verification statement*].

(2) An operator may include within an emissions report

(a) a claim that disclosure of the information referred to in subsection (1) (c) or (1) (d) would be prohibited under section 21 (1) of the *Freedom of Information and Protection of Privacy Act* if a request for the information were received under that Act, and

(b) a request that the information be kept confidential.

(3) A claim under subsection (2) must identify

(a) the specific information for which the operator requests confidentiality,

(b) an explanation of

(i) how publication of the information would reveal information referred to in section 21 (1) (a) of the *Freedom of Information and Protection of Privacy Act*, and

(ii) how publication of the information could reasonably be expected to cause the effects referred to in paragraph 21 (1) (c) of the *Freedom of Information and Protection of Privacy Act*, and

(c) if applicable, an assessment as to whether aggregation of information for which confidentiality is requested with

other emissions information for the facility would avoid revealing the information or causing the effect referred to in paragraph (b).

(4) The director may publish information for which the operator has requested confidentiality, only if the director determines that, based on the information included in the request for confidentiality or any further information requested by the director, the disclosure of that information would not be contrary to section 21 of the *Freedom of Information and Protection of Privacy Act* if a request for the information had been received under that Act.

Inspectors

30 The director may

- (a) designate a person as an inspector or a class of persons as inspectors, and
- (b) issue identification to a person, or a person in a class, designated under paragraph (a), identifying the person as an inspector.

Inspection and seizure powers

31 (1) For the purposes of ensuring compliance with this Act or this regulation, an inspector, at any reasonable time, may enter land or premises, other than premises or a part of premises used solely as a private residence, and inspect any place, process, thing or activity that is part of the business premises or operations of a reporting operation.

(2) An inspector who enters on land or premises under this section may do any or all of the following for the purposes referred to in subsection (1):

- (a) inspect, analyze, measure, sample or test anything;
- (b) use or operate anything or require the use or operation of anything, under conditions specified by the inspector;
- (c) take away samples;
- (d) make or take away copies of records.

(3) An inspector who enters land or premises in accordance with this section

(a) may take along the persons and equipment that the inspector considers may be necessary for the purposes of the inspection, and

(b) on request, must provide proof of identity to a person present on the land or premises entered.

(4) Section 112 of the *Environmental Management Act* applies for the purposes of inspections and seizures under the Act, and for that purpose

(a) a reference in that section to "this Act" or to "this Act or the regulations" must be read as a reference to the Act or the Act and this regulation,

(b) a reference in that section to a director must be read as a reference to the director under the Act, and

(c) a reference in that section to an officer is to be read as a reference to an inspector.

(5) A person who is the subject of an inspection under this section, or who is or was a director, receiver, receiver manager, officer, employee, banker, auditor or agent of a person who is the subject of an inspection under this section, on request of an inspector, must

(a) produce, without charge or unreasonable delay, for examination by the inspector, any record relating to requirements under the Act, and

(b) provide the inspector with information relevant to the purposes of the inspection.

Appeals to Environmental Appeal Board

32 (1) The following provisions are prescribed for the purpose of section 22 (1) (c) of the Act:

(a) section 13 (7) [*approval of alternative methodology for 2010*];

(b) section 14 (2) [*approval of change of methodology*].

(2) The following provisions of the *Environmental Management Act* apply in relation to appeals under the Act:

(a) section 101 [*time limit for commencing appeal*];

(b) section 102 [*procedure on appeals*];

(c) section 103 [*powers of appeal board in deciding appeal*];

(d) section 104 [*appeal does not operate as stay*].

(3) The Environmental Appeal Board Procedure Regulation, B.C. Reg. 1/82, is adopted in relation to appeals under the Act.

Schedule A

[am. B.C. Regs. 302/2009; 376/2010, Sch. ss. 19 to 21.]

Activities

Definitions

1 In this Schedule:

"aluminum or alumina production" includes

(a) smelting of aluminum from alumina,

(b) production of pre-baked anodes for use in aluminum smelting,

(c) calcination of petroleum coke for use in aluminum smelting, or

(d) production of alumina from bauxite ore;

"copper and nickel smelting" includes

(a) primary production through extraction of elemental copper or nickel from ores, and

(b) secondary production, including recovery of copper and nickel or alloys from scrap, recycled metal or dross, and production of copper or nickel and alloys;

"crude oil battery" means an arrangement of equipment grouped together in close proximity that is used to store, separate and measure crude oil that is received through pipelines from one or more crude oil wells;

"custody transfer point" means the physical point along a pipeline where control or ownership of crude oil or marketable natural gas transfers from one person to another;

"electrical equipment" means any substation, switch, transformer or other item containing sulphur hexafluoride that is associated with the generation, conversion, transmission, distribution or utilization of electricity;

"electricity generation" means production of electricity or electricity and heat at a stationary device;

"electronics manufacturing" means the manufacturing of electronic devices or semiconductors;

"ferroalloy production" means production of alloys consisting of iron and other elements, compounds or additives;

"flaring emissions" means emissions from the combustion of a gas or liquid not for the purpose of producing energy or reducing volumes of waste, including such emissions from combustion of waste petroleum, hazardous emission prevention systems, well testing, natural gas gathering systems, natural gas processing plants, crude oil production and pipeline operations;

"fugitive emissions" means the unintended or incidental emissions of greenhouse gases from the transmission, processing, storage, use or transportation of fossil fuels, greenhouse gases or other;

"general stationary combustion" means the combustion of fuel or waste in a boiler, combustion turbine, stationary engine, kiln, heater, incinerator, furnace, mobile crude oil, compressors or natural gas drilling rig while being used at a well site, or any other stationary device using combustion

(a) to produce steam or heat or other forms of energy,

(b) to reduce volume of waste,

but does not include

(c) the combustion of fuel to produce electricity,

(d) refinery fuel gas combustion, and

(e) combustion by construction related equipment temporarily used at a construction site;

"glass manufacturing" means the manufacturing of container, flat, fiber or specialty glass by melting a mixture of carbonate minerals;

"hydrogen production" means production of hydrogen from hydrocarbon feedstock;

"industrial process emissions" means greenhouse gas emissions from an industrial process that involves chemical or physical reactions other than combustion;

"lead production" includes

(a) primary production through extraction of elemental lead from ores and concentrates, and

(b) secondary production, including recovery of lead or alloys from scrap, recycled metal or dross, and production of lead and alloys;

"magnesium production" includes

(a) primary production of magnesium metal from dolomite or magnesite,

(b) secondary production, including recovery and recycling of magnesium, and

(c) use of molten magnesium in alloying, casting, drawing, extruding, forming or rolling operations;

"marketable natural gas" means natural gas that

(a) consists of at least 90% methane, and

(b) meets specifications for transport by a pipeline regulated by the *National Energy Board Act*;

"natural gas battery" means an arrangement of equipment grouped together in close proximity that is used to

store, separate, compress, dehydrate and measure natural gas that is received from one or more natural gas wells prior to delivery to a custody transfer point or to an operation that carries out natural gas gathering;

"natural gas distribution" means the utilization of one or more pipelines to transport marketable natural gas from an operation that carries out natural gas transmission to consumers of marketable natural gas, but does not include natural gas storage or transmission;

"natural gas liquid" means liquid hydrocarbons extracted from natural gas;

"natural gas processing plant" means a plant in which

- (a) natural gas liquids are extracted from natural gas,
 - (b) natural gas liquids are fractionated to natural gas products, or
 - (c) contaminants such as carbon dioxide, sulphur compounds, nitrogen, helium or water are removed
- and includes a natural gas battery or a natural gas straddle plant;

"natural gas storage" means storage of marketable natural gas

- (a) in an underground location in a depleted natural gas reservoir, an aquifer or a salt cavern, or
- (b) in liquefied form

but excludes storage associated with oil and gas extraction and gas processing activities;

"natural gas straddle plant" means a plant located near a natural gas transmission pipeline in which ethane, natural gas liquids and other substances are extracted from natural gas;

"natural gas transmission" means the utilization of one or more pipelines, including the use of any pumping or other equipment, to transport marketable natural gas from a natural gas processing plant or marketable natural gas gathering pipeline to an operation that carries out natural gas distribution or another natural gas transmission operation;

"nitric acid manufacturing" means manufacturing of nitric acid from ammonia;

"oil and gas extraction and gas processing activities" means the activities

- (a) occurring at crude oil wells, crude oil batteries and associated pipelines, storage facilities and pumping stations, having the overall purpose of extracting crude oil and delivering it to a custody transfer point, or
 - (b) occurring at natural gas wells, natural gas batteries, natural gas gathering pipelines, natural gas processing plants and associated compressing stations, pipeline heating, dehydrators, and storage, with the overall purpose of producing natural gas and delivering marketable natural gas to natural gas transmission pipelines,
- and includes activities occurring at exploration and injection wells;

"oil transmission" means the utilization of one or more pipelines to

- (a) transport oil from a crude oil battery to a refinery or terminal or from custody transfer points between those facilities, or
- (b) transport refined petroleum products from a refinery to a terminal or from custody transfer points between those facilities,

and includes terminals and pump stations that are managed or controlled by the operator of the pipeline;

"petrochemical production" means production of organic chemicals derived primarily from natural gas, crude oil or refined petroleum products;

"petroleum refining" means production of gasoline, aromatics, kerosene, distillate fuel oils, residual fuel oils, lubricants, asphalt or other products through distillation of petroleum or through redistillation, cracking, rearrangement or reforming of unfinished petroleum derivatives;

"pulp and paper production" means production of pulp, paper, paperboard, uncoated mechanical paper or any other paper product;

"refinery fuel gas combustion" means combustion of a gaseous hydrocarbon generated at a petroleum refinery as a by-product of the refining of petroleum or petroleum products, and for the purpose of steam, heat or other form of energy production, excluding electricity;

"terminal" means a facility that receives crude oil, synthetic crude oil, bitumen diluted with hydrocarbon liquid, liquefied petroleum gas, heating oil, gasoline or any refined petroleum products by pipeline for storage and subsequent transportation or distribution;

"venting emissions" means controlled or intended greenhouse gas emissions that occur due to the design of the equipment, or due to pressure beyond the capacity of the manufacturing or processing equipment, and includes emissions from

- (a) releases of casing gas, a gas associated with a liquid (or solution gas), treater, stabilizer or dehydrator off-gas, blanket gas,
- (b) releases from pneumatic devices which use natural gas as a driver,
- (c) releases from compressor start-ups, pipelines and other blowdowns, and
- (d) releases from metering and regulation station control loops

but does not include

- (e) emissions from combustion,
- (f) industrial process emissions, and
- (g) fugitive emissions;

"well" means a hole made or being made to obtain natural gas or crude oil and includes exploration, injection or production wells;

"zinc production" includes

- (a) primary production through extraction of elemental zinc from ore, and
- (b) secondary zinc production, including recovery of zinc or alloys from scrap, recycled metal or dross, and production of zinc alloys.

Table 1 — Single Facility Operations

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Activity	Source Type	Greenhouse Gas Type	Relevant Requirements re: quantification methods, additional

				information and instrumentation
1	General Stationary Combustion excluding general stationary combustion referred to in column 2 of row 1 of Table 2	(a) Emissions from general stationary combustion of fuel or waste with production of useful energy at a single facility operation	Carbon dioxide from biomass listed in Schedule C Carbon dioxide from biomass not listed in Schedule C Carbon dioxide from non-biomass Methane Nitrous Oxide	WCI.020
		(b) Emissions from general stationary combustion of waste without production of useful energy	Carbon dioxide from biomass listed in Schedule C Carbon dioxide from biomass not listed in Schedule C Carbon dioxide from non-biomass Methane Nitrous Oxide	WCI.020 ¹
2	Fuel Combustion by Mobile Equipment at a facility that carries out activities referred to in rows 1 and 3 to 26 of this column in this Table	Emissions from fuel combustion by mobile equipment that is part of the facility	Carbon dioxide from biomass listed in Schedule C Carbon dioxide from biomass not listed in Schedule C Carbon dioxide from non-biomass Methane Nitrous Oxide	WCI.280 ²
3	Aluminum or Alumina Production	(a) Emissions from anode consumption in electrolysis cells, anode and cathode baking, or green coke calcination	Carbon dioxide from non-biomass	WCI.070
		(b) Emissions from anode effects	Perfluorocarbons	
		(c) Emissions of cover gas from electrolysis cells	Sulphur hexafluoride	
4	Ammonia Production	Emissions from steam reformation or	Carbon dioxide from	WCI.080 ²

		gasification of a hydrocarbon during ammonia production	non-biomass	
5	Cement Production	Emissions from the calcination of limestone, shale, sand, slag or other raw materials used to produce clinker, as well as the oxidization of organic carbon in the raw material	Carbon dioxide from non-biomass	WCI.090
6	Coal Mining from Underground Mines	Emissions from coal when broken or exposed to the atmosphere during mining	Methane	Refer to Methodology Manual or use WCI.2502 for the 2010 reporting period and WCI.2502 after that
7	Coal Storage at Facilities that Combust Coal	Emissions from stored coal piles	Methane	WCI.100
8	Copper or Nickel Smelting or Refining	Emissions associated with removal of impurities using carbonate flux reagents, the use of reducing agents, the use of material (e.g. coke) for slag cleaning, and the consumption of graphite or carbon electrodes during copper or nickel smelting or refining	Carbon dioxide from non-biomass	WCI.2602
9	Electricity Generation	(a) Emissions from fuel combustion for electricity generation	Carbon dioxide from biomass listed in Schedule C Carbon dioxide from biomass not listed in Schedule C Carbon dioxide from non-biomass Methane Nitrous Oxide	WCI.040 for source types set out in paragraphs (a) to (d) WCI.230 for source types set out in paragraph (e)
		(b) Emissions from acid gas scrubbers and acid gas reagent	Carbon dioxide from non-biomass	
		(c) Emissions from cooling units	Hydrofluorocarbons	
		(d) Emissions from geothermal geyser steam or fluids	Carbon dioxide from non-biomass	
		(e) Emissions from installation, maintenance, operation and decommissioning of electrical equipment	Sulphur Hexafluoride	
10	Electronics Manufacturing	Emissions from electronics manufacturing, including the cleaning of chemical vapour deposition	Hydrofluorocarbons Sulphur	WCI.1102

		chambers and plasma/dry etching processes	Hexafluoride Perfluorocarbons	
11	Ferroalloy production	Emissions associated with removal of impurities using carbonate flux reagents, the use of reducing agents, the use of material (e.g. coke) for slag cleaning, and the consumption of graphite or carbon electrodes during ferroalloy production	Carbon dioxide from non-biomass	WCI.2702
12	Glass Manufacturing	Emissions from the calcination of carbonate materials	Carbon dioxide from non-biomass	WCI.1402
13	Hydrogen Production	Emissions from steam reformation of hydrocarbons, partial oxidation of hydrocarbons, or other transformation of hydrocarbon feedstock	Carbon dioxide from non-biomass	WCI.130
14	Industrial Wastewater Processing	(a) Emissions from the anaerobic or aerobic digestion of wastewater (b) Emissions from oil-water separators	Methane Nitrous oxide	WCI.200, Section 203 (g)
15	Lead Production	Emissions from the use of reducing agents during lead production	Carbon dioxide from non-biomass	WCI.1602
16	Lime Manufacturing	Emissions from the calcination of carbonate materials in lime manufacturing	Carbon dioxide from non-biomass	WCI.170
17	Magnesium Production	(a) Emissions from the use of reducing agents in magnesium production (b) Emissions of cover gases or carrier gases in magnesium production	Carbon dioxide from non-biomass Carbon dioxide from non-biomass Sulphur hexafluoride Perfluorocarbons Hydrofluorocarbons	WCI.2902
18	Nitric Acid Manufacturing	Emissions associated with catalytic oxidation, condensation and absorption processes during nitric acid manufacturing	Nitrous oxide	WCI.3102
19	Petrochemical Production	(a) Petrochemical production related emissions from flares and oxidizers (b) Petrochemical production related emissions from process vents (c) Petrochemical production related	Carbon dioxide from non-biomass Methane Nitrous Oxide Carbon dioxide from non-biomass Methane Nitrous Oxide Methane	WCI.300

		emissions from equipment leaks		
		(d) Petrochemical related process emissions from ethylene production	Carbon dioxide from non-biomass Methane Nitrous oxide	
20	Petroleum Refining	(a) Petroleum refining related emissions from catalyst regeneration;	Carbon dioxide from non-biomass	WCI.200
		(b) Petroleum refining related emissions from process vents	Carbon dioxide from non-biomass Methane Nitrous oxide	
		(c) Petroleum refining related emissions from asphalt production	Carbon dioxide from non-biomass Methane	
		(d) Petroleum refining related emissions from sulphur recovery	Carbon dioxide from non-biomass	
		(e) Petroleum refining related emissions from the flare pilot and the combustion of purge gas	Carbon dioxide from non-biomass	
		(f) Emissions from above ground storage tanks at refineries	Methane	
		(g) Emissions from oil-water separators at refineries	Methane	
		(h) Emissions from equipment leaks at refineries	Methane	
21	Phosphoric Acid Production	Emissions from the reaction of calcium carbonate with sulphuric acid	Carbon dioxide from non-biomass	WCI.3402
22	Pulp and Paper Production	Emissions from pulping and chemical recovery	Carbon dioxide from non-biomass	WCI.210
			Carbon dioxide from biomass listed in Schedule C	
			Carbon dioxide from biomass not listed in Schedule C	
23	Refinery Fuel Gas Combustion	Emissions from combustion of refinery fuel gas, still gas, flexigas or associated gas	Carbon dioxide from non-biomass	WCI.030
			Methane	
			Nitrous Oxide	
24	Zinc Production	Emissions from the use of reducing agents during zinc production	Carbon dioxide from non-biomass	WCI.2402
25	Coal mining from	Emissions from coal when broken or	Methane	

	open pit mines	exposed to the atmosphere during mining		
26	Storage of petroleum products, excluding storage that is part of an activity listed in column 2 of Table 2	Emissions from above ground storage tanks	Methane	WCI.200 Section 203 (f)

- 1 References to "fuel" in WCI.020 should be interpreted as references to "fuel or waste".
- 2 If the applicable WCI methodology is not published, an operator may use methodologies specified for that source type in the Methodology Manual.

Table 2 — Linear Facilities Operations

Column 1	Column 2	Column 3	Column 4	Column 5
Item	Activity	Source Type	Greenhouse Gas Type	Relevant Requirements re: quantification methods, additional information and instrumentation
1	General Stationary Combustion at an operation or facility that carries out oil and gas extraction, gas processing, electricity transmission, natural gas transmission, natural gas distribution, natural gas storage, oil transmission or carbon dioxide transportation	(a) Emissions from general stationary combustion of fuel or waste with production of useful energy at a linear facilities operation	Carbon dioxide from biomass listed in Schedule C Carbon dioxide from biomass not listed in Schedule C Carbon dioxide from non-biomass Methane Nitrous Oxide	WCI.020
		(b) Emissions from general stationary	Carbon dioxide	WCI.020 ¹

		combustion of waste without production of useful energy at a linear facilities operation	from biomass listed in Schedule C Carbon dioxide from biomass not listed in Schedule C Carbon dioxide from non-biomass Methane Nitrous Oxide	
2	Oil and gas extraction and gas processing activities	(a) Flaring emissions from oil and gas extraction and gas processing activities (b) Venting emissions from oil and gas extraction and gas processing activities (c) Fugitive emissions from oil and gas extraction and gas processing activities	Carbon dioxide from non-biomass Methane Carbon dioxide from non-biomass Methane Carbon dioxide from non-biomass Methane	WCI.360 ¹
3	Electricity transmission	Emissions from installation, maintenance, operation and decommissioning of electrical equipment	Sulphur hexafluoride	WCI.230 ¹
4	Natural gas transmission, natural gas distribution or natural gas storage	(a) Flaring emissions from natural gas transmission, natural gas distribution or natural gas storage (b) Venting emissions from natural gas transmission, natural gas distribution or natural gas storage	Carbon dioxide from non-biomass Methane Carbon dioxide from non-biomass Methane	WCI.350 ¹

		(c) Fugitive emissions from natural gas transmission, natural gas distribution or natural gas storage	Carbon dioxide from non-biomass Methane	
5	Oil transmission	(a) Flaring emissions from oil transmission	Carbon dioxide from non-biomass Methane	WCI.360 ¹
		(b) Venting emissions from oil transmission	Carbon dioxide from non-biomass Methane	
		(c) Fugitive emissions from oil transmission	Carbon dioxide from non-biomass Methane	
6	Carbon dioxide transportation	(a) Flaring emissions from carbon dioxide transportation	Carbon dioxide from non-biomass Methane	WCI.350 ¹
		(b) Venting emissions from carbon dioxide transportation	Carbon dioxide from non-biomass Methane	
		(c) Fugitive emissions from carbon dioxide transportation	Carbon dioxide from non-biomass Methane	

1 References to "fuel" in WCI.020 should be interpreted as references to "fuel or waste".

2 If the applicable WCI methodology is not published, an operator may use methodologies specified for that source type in the Methodology Manual.

Schedule B

[am. B.C. Reg. 376/2010, Sch. s. 22.]

Categories of Emissions

Interpretation

1 In this Schedule, a category of emissions listed in column 2 includes the total emissions from all source types listed in the rows of Tables 1 or 2 of Schedule A that are referred to in Column 3 of this Schedule, opposite the category of emissions.

Column 1	Column 2	Column 3
Item	Categories of Emissions	Reference
1	Flaring	Table 1, Row 19 (a) Table 1, Row 20 (e) Table 2, Row 2 (a) Table 2, Row 4 (a) Table 2, Row 5 (a) Table 2, Row 6 (a)
2	Fugitive	Table 1, Row 3 (c) Table 1, Row 6 Table 1, Row 7 Table 1, Row 9 (c), (d) and (e) Table 1, Row 10 Table 1, Row 17 (b) Table 1, Row 19 (c) Table 1, Row 20 (f) and (h) Table 1, Row 25 Table 1, Row 26 Table 2, Row 2 (c) Table 2, Row 3 Table 2, Row 4 (c) Table 2, Row 5 (c) Table 2, Row 6 (c)
3	Industrial process	Table 1, Row 3 (a) and (b) Table 1, Row 4 Table 1, Row 5

		Table 1, Row 8 Table 1, Row 9 (b) Table 1, Row 11 Table 1, Row 12 Table 1, Row 13 Table 1, Row 15 Table 1, Row 16 Table 1, Row 17 (a) Table 1, Row 18 Table 1, Row 19 (d) Table 1, Row 20 (a), (c), (d) and (g) Table 1, Row 21 Table 1, Row 22 Table 1 Row 24
4	On-site transportation	Table 1 Row 2
5	Stationary fuel combustion	Table 1, Row 1 (a) Table 1, Row 9 (a) Table 1, Row 23 Table 2, Row 1 (a)
6	Venting	Table 1, Row 19 (b) Table 1, Row 20 (b) Table 2, Row 2 (b) Table 2, Row 4 (b) Table 2, Row 5 (b) Table 2, Row 6 (b)
7	Waste	Table 1, Row 1 (b) Table 2, Row 1 (b)
8	Wastewater	Table 1, Row 14

Schedule C

[am. B.C. Reg. 376/2010, Sch. s. 23.]

Biomass Exclusions

Item	Type of Biomass
1	Wood biomass, or the wood biomass component of mixed fuels, including (a) wood residue within the meaning of the <i>Forest Act</i> , (b) wood-derived fuel, red liquor and black liquor from pulp and paper production processes, and (c) woody matter from agricultural trimmings, tree thinning and orchard removals, but not including wood biomass that fails to meet the criteria for carbon neutrality established by the jurisdiction in which it was produced, if any.

Schedule D

[en. B.C. Reg. 376/2010, Sch. s. 24.]

Electricity Import Operation Methodologies, Additional Information and Instrumentation

Definitions

1 In this Schedule:

- "balancing authority"** means a responsible entity that integrates resource plans ahead of time, maintains load-interchange-generation balance within a balancing authority area, and supports interconnection frequency in real time;
- "balancing authority area"** means the collection of generation, transmission, and loads within the metered boundaries of a balancing authority;
- "default emissions factor"** means
- (a) for an unspecified source that is located in a jurisdiction listed in the most recent Western Climate Initiative's published Default Emissions Factor Calculator, DEF Calculator Page, the figure in the Grand Total column of that page in the sum of emission factor rows for that jurisdiction, or
 - (b) if paragraph (a) does not apply, an emissions factor approved by the director;
- "electricity transaction"** means the purchase, sale, import, export or exchange of electric power;
- "electricity wheeled through British Columbia"** means electricity that is imported into British Columbia but is simultaneously exported out of British Columbia;
- "exchange agreement"** means a commitment between electricity market participants to swap energy for energy;
- "specified source"** , in relation to an electricity transaction, means
- (a) if
 - (i) the transaction identifies a sub-facility, or unit within a sub-facility, as the source of the electricity, and
 - (ii) the Plant Information Summary identifies emissions and net generation for that sub-facility,

the sub-facility identified as the source of the electricity, and

(b) if paragraph (a) does not apply, the facility identified in the transaction as the source of the electricity;

"unspecified source" means the pool, balancing authority or other source of electricity that is identified in the NERC E-tag as the source of unspecified power.

Calculation of emissions from specified sources

2 The emissions reported under section 4 (a) (vi) of this Schedule must be calculated using the following methodology:

$$CO_2 = MWh_{imp} \times \text{Applicable Factor}$$

where

CO_2 = the amount reported under section 4 (a) (v) of this Schedule measured in tonnes of carbon dioxide equivalent;

MWh_{imp} = megawatt-hours of electricity imported from the specified source as measured at the first point of delivery in British Columbia;

Applicable Factor = in relation to

- (a) a specified source listed in the Plant Information Summary, the amount derived by dividing emissions in the metric tonnes column of the Plant Information Summary by net generation for the unit or facility as specified in the net generation column of the Plant Information Summary, and
- (b) a specified source not listed in the Plant Information Summary, one of the following:
 - (i) if the specified source is a wind, solar, hydro or nuclear facility, zero;
 - (ii) if subparagraph (i) does not apply, 0.435 Mt CO_2e per MWh or such other amount approved by the Director.

Calculation of emissions from unspecified sources

3 The emissions reported under section 12 (2.1) (c) (iv) of the Reporting Regulation must be calculated by multiplying the reported quantities of imported electricity from each balancing authority area, by the appropriate default emission factor according to the following equation:

$$CO_2 = MWh \times DEF$$

where

CO_2 = Annual CO_2 mass emissions for imported electricity from the unspecified source (tonnes);

MWh = Megawatt-hours of electricity imported from the balancing authority area;

DEF = The default emission factor corresponding to the balancing authority area in which the unspecified source is located

Reporting requirements

4 For the purpose of preparing and reporting emissions and electricity transactions, electricity import operators must do the following:

- (a) for each specified source of electricity imported by the electricity import operation during the reporting period:
 - (i) if the specified source is a facility, the name of that facility;
 - (ii) if the specified source is a sub-facility, the name of the facility which includes the specified source;

- (iii) the ID provided in the Plant Information Summary for the facility referred to in subparagraph (i) or (ii), if any;
 - (iv) if the specified source is a sub-facility, the sub-facility ID identified for that sub-facility in the Plant Information Summary;
 - (v) for imported electricity generated by the specified source and imported by the reporting operation during the reporting period, amounts of such electricity as measured at the first point of delivery in British Columbia;
 - (vi) the amount of greenhouse gas emissions attributable to the electricity importing operation associated with the production of electricity referred to in subparagraph (v);
- (b) for each unspecified source of electricity imported by the electricity import operation during the reporting period:
- (i) the name of unspecified source
 - (ii) the amount of electricity imported as measured at the first point of delivery, measured in megawatt hours;
 - (iii) the amount of greenhouse gas emissions attributable to the electricity importing operation associated with the production of electricity referred to in subparagraph (ii).
- (c) electricity wheeled through British Columbia in the reporting period, that is owned by the electricity import operation at the first point of delivery in British Columbia, in megawatt hours;
- (d) identification of whether a specified source referred to in paragraph (b) is a hydroelectric generating facility with nameplate capacity of greater than 30 MW that was operational before January 1, 2008 or a nuclear facility that was operational before January 1, 2008;
- (e) for each specified source referred to in paragraph (d) a disaggregation of the information required in paragraph (a) according to whether the electricity transaction under which the electricity was imported was
- (i) electricity purchased with a contract in effect prior to January 1, 2008 that remains in effect or has been renegotiated within one year of contract expiration for the same facility for the same share or quantity of net generation from the specified source,
 - (ii) electricity purchased other than as described in subparagraph (i) that is not associated with an increase in the facility's generating capacity,
 - (iii) electricity purchased other than as described in subparagraph (i) that is associated with an increase in the facility's generating capacity due to increased efficiencies or other capacity increasing actions, or
 - (iv) electricity purchased other than as described in subparagraph (i) from hydroelectric generating facilities during a "spill or sell" situation in which power not purchased is lost.

[Provisions relevant to the enactment of this regulation: *Greenhouse Gas Reduction (Cap and Trade) Act*, S.B.C. 2008, c. 32, sections 38, 39, 44 and 45]

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