



Waste Energy Recovery Registry Rulemaking

Environmental Protection Agency
Briefing to MEG

June 16, 2008

Outline

- Energy Independence and Security Act of 2007 Language
 - Section 372, 373, 374
- Timing and Process
- Feedback

Energy Independence and Security Act of 2007 - Title IV – Subtitle D

- EPA is required under Subtitle D to establish a recoverable waste energy inventory program.
- Specifically, EPA shall:
 - Establish “an ongoing survey of all major domestic industrial and large commercial combustion sources in the United States (as defined by the Administrator) and the sites at which the sources are located” (the survey), and “a review of each source for the quantity and quality of waste energy produced at the source.”
 - “Not later than 270 days after the enactment of EISA, publish a rule that establishes the criteria for including sites in the registry” (the Registry of Recoverable Waste Energy Sources).
 - “Not later than 1 year after the date of enactment of EISA, EPA shall establish a Registry of Recoverable Waste Energy Sources, and sites on which the sources are located, that meet the criteria...”

Emphasis added

Energy Independence and Security Act of 2007 - Title IV – Subtitle D (2)

- Specifically, EPA shall:
 - Provide an annual report to Congress describing lost opportunities for domestic waste-heat recovery projects and calculating the quantity of lost energy and emission reductions.
 - Develop a grant program to fund additional efficiency programs in those DOE certified States that have achieved 80 percent or more of the waste heat recovery opportunities.

EISA Definition of Waste Energy

- “(A) Exhaust heat or flared gas from any industrial process;
- (B) Waste gas or industrial tail gas that would otherwise be flared, incinerated, or vented;
- (C) A pressure drop in any gas, excluding any pressure drop to a condenser that subsequently vents the resulting heat; and
- (D) Such other forms of waste energy as the Administrator may determine.”

Survey and Registry (Sec 372)

- Criteria shall include, per EISA:
 - A requirement that “a project is economically feasible by virtue of offering a payback of invested costs not later than five years after the date of full operation (including incentives offered under this part);”
 - “Standards to ensure that projects proposed for inclusion in the registry are not developed or used for the primary purpose of making sales of excess power under the regulatory provisions of this part;” and
 - “Procedures for contesting the listing...by any state utility, or other interested person”

Survey and Registry (Sec 372) (2)

- EPA shall calculate the total quantities of potentially recoverable waste energy from sources, nationally and by state, and
- Make public the total quantities and information on the criteria pollutant and greenhouse gas emissions savings that might be achieved with recovery of the waste energy from all sources listed on the Registry.

Survey and Registry (Sec 372) (3)

- EPA shall not list any source constructed after EISA enactment if EPA determines that it was:
 - Developed for the primary purpose of making sales of excess electric power under the regulatory provisions of the part; or
 - Does not capture at least 60 percent of the total energy value of the fuels used in the form of useful thermal energy, electricity, mechanical energy, chemical output or any combination thereof.

Waste Energy Recovery Incentive Grant Program (Sec 373)

- EPA shall develop of a grant program to fund additional efficiency programs in those DOE certified States that have achieved 80 percent or more of the waste heat recovery opportunities

Additional Incentives for Recovery, Use, and Prevention of Industrial Waste Energy (Sec 374)

- EPA shall provide an annual report to Congress describing “lost opportunities for domestic waste-heat recovery projects” and identifying the utility and stating the quantity of lost energy and emission savings calculated.”

Timing and Process

- Rule by September 2008
- An ambitious timetable but we will work towards this deadline
- EPA is involving agency and interagency expertise
- EPA welcomes stakeholder input and has met with numerous organizations and trade associations through listening meetings

Feedback

- Specific areas of useful feedback:
 - CHP as waste energy?
 - Confidential Business Information (CBI)
 - What constitutes “major domestic industrial and large commercial combustion sources”
 - What constitutes “primary purpose of making sales of excess electric power under the regulatory provisions of the part”

Contact Information

Leslie Black Cordes
202-343-9003
cordes.leslie@epa.gov

Katrina Pielli
202-343-9610
pielli.katrina@epa.gov

Felicia Ruiz
202-343-9129
ruiz.felicia@epa.gov