

STATE OF MAINE  
BOARD OF ENVIRONMENTAL PROTECTION



JANET T. MILLS  
GOVERNOR

Mark C. Draper, Chair

William F. Hinkel  
Executive Analyst

Ruth Ann Burke  
Board Clerk

**MEMORANDUM**

**TO:** Board of Environmental Protection

**FROM:** Stacy Knapp, Bureau of Air Quality

**DATE:** June 17, 2021

**RE:** Proposed rule establishing methods for the calculation of annual greenhouse gas emissions as required by 38 M.R.S. §576-A – request for adoption

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The Maine Department of Environmental Protection (Department) compiles a complete greenhouse gas emissions inventory every two years and reports this analysis to the Legislature. Beginning in 2022, this report must also include an estimate of net greenhouse gas emissions (i.e., a carbon budget), which includes both gross anthropogenic emissions to the atmosphere and carbon sequestered by the environment.

As stated in 38 M.R.S. §576-A, “By July 1, 2021, the Department shall adopt rules to track and report to the Legislature on gross annual greenhouse gas emissions and net annual greenhouse gas emissions.” Chapter 167 establishes methods for the calculation of annual greenhouse gas emissions as required, outlining the methods, data sources, and assumptions used to compile and report these inventories.

These emissions estimates will be used to assess Maine’s progress toward meeting the gross greenhouse gas reductions set out in 38 M.R.S. § 576-A (1) and (3). The Department will use these methods to measure progress toward these reductions and toward the goals of the climate action plan described in 38 M.R.S. § 577. The net emissions estimate will be used to gauge Maine’s progress toward the 2045 carbon neutrality goal as described in Governor Mills’s executive order dated September 23, 2019.

On May 20, 2021, The Department held a public hearing on the proposed Chapter 167, Tracking and Reporting Gross and Net Annual Greenhouse Gas Emissions rule. The Department received comments on the proposal from three interested parties during the public comment period and has provided responses. A single change was made to the rule as a result of these comments. Although the Chapter summary states, “These emissions estimates will be used to assess attainment of the reductions set out in 38 M.R.S. § 576-A (1), (2) and (3),” a similar statement has been added to section 4.B.(1) for further clarity.

**Departmental Recommendation:** The Department recommends that the Board adopt this rule.

**Estimated Time of Presentation:** 1 hour

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