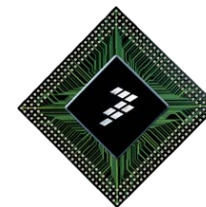


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# GHG Regulatory Update

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## Tailoring Rule (Final)

- Effective July 1, 2011 for most facilities
- Most fabs become “major sources” for GHGs – requires Title V operating permit
- Significant modifications/expansions trigger PSD permitting *prior* to change – up to 18 month delay

## Mandatory Reporting Rule (Final)

- Effective January 1, 2011 for all semiconductor facilities
- Estimated cost >\$119 million to comply
- Technically infeasible
- Best Available Monitoring Methods offer insufficient relief

## Deferral of Reporting of CBI (proposed)

- Delay of 3 years to report certain data
- Call for Information on Confidentiality Issues

# 2011 Status/Plans

## Tailoring Rule

- In 2010, SIA requested EPA guidance on 8-specific issues associated with application of PSD to S/C industry and requested - - - EPA consider an “alternative approach” to applying PSD to the S/C industry
- Meeting w/OAQPS on February 3, 2011. Two-fold purpose for meeting:
  - Discuss EPA positions on PSD flexibility guidance requested by SIA
  - Discuss possible EPA rulemaking to exempt industry from PSD
- Follow-up meeting w/USEPA March 15, 2011 – High level commitment from EPA & Administration to develop a “fix” for semiconductor industry (likely requires rulemaking)
  - Modify mass/CO<sub>2e</sub> threshold tests
  - Separate F-gas emissions from combustion emissions
  - Other??

## Reporting Rule

- Request for EPA to withdraw Rule (Subpart I) denied
- SIA Filed both Petition for Reconsideration and Petition for Judicial Review
- Frequent meetings w/Director of Climate Change & Staff
  - Director has vacated position – new director appointed
- First settlement hearing March 15, 2011
- Proposed Alternatives to individual recipe testing
  - Emission Factor development by feature (industry collaboration)
  - Stack Testing Method development/validation
  - Abatement Allocation for emissions calculation
- Modifications to apportioning model verification
- Host of other “less critical” issues

## Deferral of Emissions Reporting (CBI)

- EPA issued “Proposed Confidentiality Determinations for the Mandatory Greenhouse Gas Reporting Rule and Proposed Rule Amendment Specifying Procedures for Handling Part 98 Data” in June, 2010
  - Specific data elements for direct emitter Subparts
- EPA received a multitude of comments regarding CBI – most every data element to be reported is considered CBI
- EPA now proposed to defer reporting of certain data for 3 years & requested information on confidentiality of data (CFI)
- SIA submitted extensive response to CFI and comments to deferral – deferral is good but does not solve the issue of release of CBI