



June 9, 2009

Environmental Protection Agency
EPA Docket Center (EPA/DC)
Mailcode 6102T
Attention: Docket ID No. EPA-HQ-OAR-2008-0508
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

**RE: Proposed Mandatory Greenhouse Gas Reporting Rule
Docket ID No. EPA-HQ-OAR-2008-0508**

The American Council of Engineering Companies (ACEC) is pleased to provide brief comments on the U.S. Environmental Protection Agency's (EPA) proposed mandatory greenhouse gas (GHG) emissions reporting rule. The Council offers our comments in the hopes of strengthening the proposed rule and assisting the agency in achieving its objectives to collect meaningful GHG emissions data.

ACEC is the business association of America's engineering industry, representing nearly 6,000 independent engineering companies throughout the United States engaged in the development of America's infrastructure. ACEC member firms represent the broad spectrum of the industry, from very large firms to small, family-owned businesses. Overall, our members employ well over 300,000 people throughout the 50 states. Founded in 1910 and headquartered in Washington, D.C., ACEC is a national federation of 51 state and regional organizations.

The proposed rule notes that EPA is proposing self-certification with EPA verification (Option 3). The agency's rationale is generally that the approach is similar to other EPA air pollution emission programs, and that reporting GHG emissions should be similar. We respectfully disagree. Greenhouse gas emissions will not be as easy to measure as other primary pollutants and emissions data collection will be a novel undertaking for many covered facilities. Given the expected monetary value of greenhouse gas reduction credits and allowances, the opportunity for fraud will be very large. It will be critical to the integrity of the carbon market that develops as a result of federal legislation that emissions are quantified with accuracy and credibility.

ACEC recommends that EPA select Option 2, self-certification with third-party verification. Many of ACEC-member companies already provide carbon "footprinting" and other voluntary GHG emissions data collection reporting services to corporate

clients, municipalities and educational institutions. Most ACEC firms that perform such services have been accredited as independent product verifiers, assuring that accuracy and independent analysis is guaranteed. In order to be accredited to the international GHG verification standards verifiers are required to show technical competency and independence by passing rigorous testing and conflict-of-interest auditing requirements. It is in the interest of verification bodies to provide consistent standards and transparent processes, motives that may not be as strong for reporting facilities.

In addition, independent third-party verification is necessary to ensure that EPA's emission reporting system is trustworthy. For this reason, California, the European Union's Emissions Trading System, the United Kingdom's GHG Emissions Trading System, and most voluntary U.S. climate registries all require external review of data submissions. We believe that a mandatory U.S. greenhouse gas reporting requirement should be consistent with other GHG reporting programs.

We also believe that third-party reviews have proven to be effective and efficient since verifiers can be obtained from locations that are near the facilities subject to reporting requirements. While a requirement for third-party verification would most likely impose small increases in costs to reporting facilities, it would also create a large number of jobs in the private sector. Using EPA-only personnel to audit emissions reporting by a reporting facility, requiring regional or headquarters staff to travel to the collection location could be very costly to taxpayers and time-consuming for the agency.

We thank you for the opportunity to express our views. If you have any questions or would like to discuss our comments, please feel free to contact me at dshea@acec.org or 202-347-7474

Cordially,

/s/

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