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The Climate Registry:
General Reporting Protocol
For the Voluntary Reporting Program

Public Comments Submitted by the ATA

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PART II. DETERMINING WHAT YOU SHOULD REPORT

Chapter 1: Geographic Boundaries

1.1 Reporting All U.S., Canada and Mexico Emissions

COMMENT(S)

The Air Transport Association of America, Inc. ("ATA")* is pleased to have this opportunity to comment on The Climate Registry's Draft General Reporting Protocol for the Voluntary Reporting Program (the "Draft GRP"). ATA is the principal trade and service organization of the U.S. airline industry, and ATA's airline members and their affiliates transport more than 90 percent of all U.S. airline passenger and cargo traffic. In this capacity, ATA regularly comments on regulatory and other developments that may affect the airline industry. ATA welcomes the Draft GRP and commends The Climate Registry ("TCR") for its efforts in this very important area.

The Draft GRP needs to be improved, however, with respect to its treatment of aircraft emissions. There is an inherent tension between the broad scope of the reporting requirements (the U.S., Canada and Mexico) as set forth in Chapter 1, "Geographic Boundaries," and the facility-level reporting approach set forth in Chapter 5, Required Categorization of Emissions Data." This tension is acute when addressing emissions from aircraft, which are mobile. In short, to the extent that aircraft emissions are to be reported, it only makes sense to do so on a national basis. Doing so on a facility-level basis as set forth in the Draft GRP will generate inaccurate and misleading data -- and bad data can lead to bad policy. We address this in greater detail in our comments on Chapter 5 below, but changes are necessary in this section as well, especially as it references Section 5.4, "Geographic Breakdown."

Please also note that there is a typo in the final paragraph of Section 1.1: the reference to Section 4.5 actually should be to Section 5.4.

*The members of the Association are: ABX Air, Inc., Alaska Airlines, Inc., Aloha Airlines, American Airlines, Inc., ASTAR Air Cargo, Inc., Atlas Air, Inc., Continental Airlines, Inc., Delta Air Lines, Inc., Evergreen International Airlines, Inc., FedEx Corporation, Hawaiian Airlines, JetBlue Airways Corp., Midwest Airlines, Inc., Northwest Airlines, Inc., Southwest Airlines Co., United Airlines, Inc., UPS Airlines, US Airways, Inc.; associate members are: Air Canada, Air Jamaica Ltd., Mexicana.

SUGGESTED REVISION(S)

Revise the second paragraph of Section 1.1, Draft GRP at 9, as follows:

With the exception of aircraft emissions, y~~Y~~ou must break down your emissions by country; state, province or territory; and (if applicable) tribal area. See ~~Section 4.5~~ **Section 5.4** for a detailed explanation of how to subdivide your various facilities and emission sources (including mobile sources) geographically.

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Chapter 4: Defining the Reporting Entity: Operational Boundaries

4.3 Optional Reporting of Scope 3 Emissions
COMMENT(S) Included among the categories of emissions for which reporting is optional is "Employee business travel," and this category is represented with a picture of an airplane in Figure 4.1. Draft GRP at 22, 23. ATA does not object to the inclusion of this category or the figure in Section 4.1. Rather, we note it in order to highlight that reporting these indirect emissions will almost certainly result in double-counting of aircraft emissions. Indeed, one of the "Frequently Asked Questions" in the Draft GRP asks if reporting indirect emissions constitutes double-counting. Draft GRP at xiii. The response in the Draft GRP is that "direct and indirect emissions are reported and tracked separately" in order to provide TCR with "a more comprehensive picture of each entity's emissions profile." *Id.* This does not explain how double-counting is to be avoided, however. We raise the issue here only to highlight the complexity of these reporting issues and to suggest that more work is necessary to ensure both accuracy and fairness in the reporting of emissions.
SUGGESTED REVISION(S)

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Chapter 5: Required Categorization of Emissions Data

5.1 Facility Level Reporting

COMMENT(S)

Section 5.1.3, "Facility Definitions for Air and Water Transportation Equipment," requires significant modification. This Section states that "emissions from airplanes are treated as if they occur at the airport, during the fuel loading process. Thus, the airport is treated as the facility, rather than the plane or the fleet of planes." Draft GRP at 26. Example 5.3 of the Draft GRP describes a "regional airline operat[ing] a fleet of planes departing from ten different airports in the Midwest" and explains that under the GRP, the "emissions from each plane flight are thus tied to the airport the plane departs from." *Id.*

Most fundamentally, it is simply not true that this approach will allow "emissions from each plane flight" to be "tied to the airport the plane departs from." In reality, various factors can affect the amount of fuel taken onboard aircraft at any particular airport and burned on a particular route. Safety requires that aircraft carry more fuel than minimally required to complete any given route to account for the possibilities of diversions, delays, and other circumstances that may result from factors as diverse as weather, unruly or sick passengers, air traffic management systems, etc. Complicating the picture is that fueling decisions can be affected by economic and supply considerations as well. A pilot may decide to take on more fuel than needed at a particular airport because fuel prices are low or because fuel supplies are low at the destination airport. (In addition, in certain circumstances airlines are required to offload and dispose of fuel; while this affects only a small percentage of fuel, it reflects another potential source of inaccuracy produced by using fueling as a proxy for emissions.)

Even assuming the locations of aircraft fueling were an appropriate proxy for those of aircraft emissions, this approach could generate inaccurate data. Consider a flight from Newark, New Jersey to Dallas, Texas. If applied as a uniform rule, the GRP approach would avoid double-counting, as the emissions associated with combusting the fuel loaded at Newark would not be reported by others. However, because the TCR is not a national registry, there is little assurance that double-counting would not in fact occur. Note that Texas is not currently a member of the TCR. Thus, in the example of the flight from Newark to Dallas, if different reporting requirements were to be adopted in Dallas or statewide in Texas, double-counting could result, with the emissions associated with the flight reported in both New Jersey and Texas.

And even if "tying" aircraft emissions to the location of aircraft fueling was to generate accurate data, which it does not, the Draft GRP's approach would produce misleading data. Consider again a flight from Newark to Dallas. Under the proposed approach, the entirety of the flight's emissions would be allocated to Newark. In reality, only a fraction of the emissions actually occur at the airport, or even in New Jersey; the vast majority of emissions from the flight occur elsewhere.

The problems are exacerbated when international flights are considered, where large portions of emissions occur in international airspace and in other countries, where there is no guarantee that consistent reporting requirements will be adopted. In fact, to include emissions from aircraft in international flight in a state-based registry would be inconsistent with international protocols, which call for emissions from international aviation (referred to as emissions from international "bunker fuels",

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including jet fuel) to be separated out into an "international" emissions category maintained and reported at the federal level by the relevant country. *See* Intergovernmental Panel on Climate Change, *2006 Guidelines for National Greenhouse Gas Inventories.*

When constructing reporting protocols, one must be mindful of how they will be used. The Draft GRP's approach to of allocating aircraft emissions to particular local jurisdictions (i.e., those containing fueling airports) raises myriad political complexities. One of the purposes of collecting emissions data is to encourage entities to reduce their carbon footprints. Referring to the example above, Newark airport will seek to reduce its carbon footprint, and New Jersey will seek to reduce its. Because Newark (like many large, international airports around the country) serves a large metropolitan area that encompasses many local jurisdictions and multiple states, arbitrarily assigning the emissions to Newark makes little sense – particularly, in this case, since the majority of passengers likely originated from the New York City area. Further complexities perhaps are best illustrated by airport names like Cincinnati/Northern Kentucky International Airport and Gary Chicago International Airport; the fact that many airports are located in one jurisdiction, but owned and operated by another (e.g., San Francisco International), and; the fact that many airports are operated by regional authorities, like Los Angeles World Airports (controlled by the City of Los Angeles, which owns and operates four airports of various sizes in Southern California), the New York New Jersey Port Authority (which owns and operates two major international airports in New York (JFK and LaGuardia), another major international airport in New Jersey (Newark), smaller "reliever" airports – one each in New York (Stewart) and New Jersey (Teterboro) – and a heliport in Manhattan), the Metropolitan Airports Commission [Minnesota] (which is appointed by the Governor and Mayors of Minneapolis and St. Paul, and owns and operates Minneapolis-St. Paul International Airport and six reliever airports, including St. Paul Downtown Airport and Anoka County-Blaine Airport), and the Burbank-Glendale-Pasadena Airport Authority (which owns and operates Bob Hope Airport located in Burbank, but governed jointly by the cities of Burbank, Glendale and Pasadena).

In short, the Draft GRP's approach will not create the ability to "tie" emissions from particular flights to the airports from which they depart. Moreover, even if this were possible, the approach would lead to the creation of inaccurate and misleading data, which, in turn, could well lead to unnecessary tensions between airports and airlines, and between political jurisdictions, as each seeks to reduce its carbon footprint.

At a minimum, therefore, if the approach is retained its limits must be explained and highlighted with care to ensure that policy makers do not misinterpret and misapply the data. Most importantly, the GRP must explain that by using fuel loading as a proxy for capturing the emissions associated with combusting the fuel, it does NOT capture or purport to capture the location at which the emissions actually occur. If this approach is retained, the GRP also must explain in detail the complexities (outlined above) with assigning the location of the emissions and the appropriate jurisdiction with responsibility for the footprint.

Based on the above, to the extent a registry is to be created for aviation emissions, it should be done on a national basis at the federal level, rather than relying upon the fiction of allocating emissions to the location of the fuel upload.

SUGGESTED REVISION(S)

Revise Section 5.1.3, Draft GRP at 26, as follows: delete the first paragraph as well as Example 5.3 and replace them with the following text:

Because aircraft are unique mobile sources of emissions, they are treated as an entirely separate category of facility. Airlines already report comprehensive fuel consumption data to the Department of Transportation (via the Bureau of Transportation Statistics) and therefore provide a basis for ascertaining total emissions from aircraft. Thus, rather than ascribe the emissions from an airplane flight to a facility that is physically located within a particular geographic area, the emissions should be reported by the owner or operator of the airplane on a national basis. These aircraft emissions data are to be tabulated on a national basis so as to avoid the misleading allocation of aircraft emissions to any particular geographic location.

5.4 Geographic Breakdown

COMMENT(S)

See the comments in Section 5.1 above.

SUGGESTED REVISION(S)

Revise Section 5.4, Draft GRP at 27, as follows:

With the exception of aircraft emissions, y~~Y~~ou must disaggregate and report emissions data for the United States, Canada and Mexico by country; state, province or territory; and (if applicable) tribal area. To provide the necessary geographical breakdown you will need to identify the location of each of your emission sources. Emissions associated with electricity purchased and consumed should be included in the emissions total for the state or province where the electricity is consumed. **As noted in Section 5.1.3, emissions associated with aircraft emissions are to be collected separately and reported on a national basis.**