
Mandatory Reporting of Greenhouse Gases (40 CFR part 98)

Rule Overview

- On October 30, 2009, the U.S. Environmental Protection Agency (EPA) published a rule for the mandatory reporting of greenhouse gases (GHG) from large GHG emissions sources in the United States. Implementation of 40 CFR Part 98 is referred to as the Greenhouse Gas Reporting Program (GHGRP).
- This comprehensive, nationwide emissions data will provide a better understanding the sources of GHGs and will guide development of the policies and programs to reduce emissions. The publically available data will allow reporters to track their own emissions, compare them to similar facilities, and aid in identifying cost effective opportunities to reduce emissions in the future.
- 40 CFR part 98 applies to direct greenhouse gas emitters, fossil fuel suppliers, industrial gas suppliers, and facilities that inject CO₂ underground for sequestration or other reasons. In general, the threshold for reporting is 25,000 metric tons or more of carbon dioxide (CO₂) equivalent per year. Reporting is at the facility level, except for certain suppliers of fossil fuels and industrial greenhouse gases.
- An estimated 85-90 percent of the total U.S. GHG emissions from approximately 13,000 facilities are covered by this final rule.
- Most small businesses would fall below the 25,000 metric ton threshold and are not required to report GHG emissions to EPA.
- 40 CFR part 98 requires reporting by 41 industrial categories. For calendar year 2010, facilities in 29 categories are required to report. An additional 12 categories begin reporting for calendar year 2011 emissions.
- Reports are submitted annually and provide data collected during the previous calendar year (i.e., reporting year). Reports for reporting year 2010 are due on September 30, 2011. Reports for future years are due on March 31 for emissions in the previous calendar year.
- The annual reports are submitted to EPA electronically using an electronic greenhouse gas reporting tool (e-GGRT), which is accessed through the EPA web page listed at the end of this fact sheet.
- EPA will verify the data submitted and will not require third party verification. Prior to EPA verification, reporters will be required to self-certify the data they submit to EPA.
- The GHG reporting requirements for vehicle and engine manufacturers outside of the light-duty sector were incorporated into the long-standing conventional (“criteria”) pollutant testing and reporting requirements under Title II of the Clean Air Act. Wherever possible, EPA based the new reporting requirements on existing measurement methods and plans to use existing data collection systems. EPA is not requiring reporting of mobile source emissions or activity data from fleet operators or state and local governments.

Subsequent Final Rule Revisions

Federal Register Publication Date	Rule Revision	Description	First Applicable Reporting Year ¹
07/12/2010	Mandatory Reporting of Greenhouse Gases from Magnesium Production, Underground Coal Mines, Industrial Wastewater Treatment, and Industrial Waste Landfills (Subparts T, FF, II, and TT)	Requires reporting of GHGs from magnesium production, underground coal mines, industrial wastewater treatment, and industrial landfills. The action includes EPA's final decision not to include ethanol production and food processing as distinct subparts in the rule, as well as the final decision not to include suppliers of coal in the rule at this time.	2011
09/22/2010	Corporate Parent and NAICS code (Subpart A)	Requires reporters to provide: the name, address, and ownership status of their U.S. parent company; their primary and all other applicable North American Industry Classification System (NAICS) codes; and an indication of whether or not any of their reported emissions are from a cogeneration unit.	2010
10/28/2010	Technical Corrections, Clarifying and Other Amendments to Certain Provisions of the Greenhouse Gas Reporting Rule (Subparts A, E, H, K, N, O, P, Q, S, V, Z, CC, EE, GG, HH, LL, MM, NN)	Corrects technical and editorial errors in several subparts and clarifies or updates provisions that have been the subject of questions from reporting entities. The subparts that were amended are: General provisions, adipic acid production, cement production, ferroalloy production, glass production, HCFC-22 production and HCFC-23 destruction, hydrogen production, iron and steel production, lime manufacturing, nitric acid production, phosphoric acid production, soda ash manufacturing, titanium dioxide production, zinc production, municipal solid waste landfills, suppliers of coal-based liquid fuels, suppliers of petroleum products, suppliers of natural gas and natural gas liquids.	2010
11/30/2010	Petroleum and Natural Gas Systems (Subpart W)	Requires reporting of fugitive and vented GHG emissions from petroleum and natural gas systems. The rulemaking requires emissions reporting from the following industry segments: Onshore petroleum and natural gas production, offshore petroleum and natural gas production, natural gas processing, natural gas transmission compressor stations, underground natural gas storage, liquefied natural gas (LNG) storage, LNG import and export terminals, and natural gas distribution.	2011
12/1/2010	Injection and Geological Sequestration of Carbon Dioxide (Subpart RR)	Requires reporting of CO ₂ injection and geologic sequestration of CO ₂ .	2011
12/1/2010	Additional Sources of Fluorinated GHGs (Subparts I, L, DD, QQ, and SS)	Requires reporting of fluorinated GHG emissions from electronics manufacturing, production of fluorinated gases, the use of electrical transmission and distribution equipment, the manufacture or refurbishment of electrical equipment, and import and export of pre-charged equipment and closed cell foams.	2011

¹ The reporting year is the calendar year for which GHG data are collected. For example, reporting year 2010 emissions are reported on September 30, 2011.

Federal Register Publication Date	Rule Revision	Description	First Applicable Reporting Year¹
12/17/2010	Revision of Certain Provisions of the Mandatory Reporting of Greenhouse Gases Rule (Subparts A, C, D, F, G, P, V, X, Y, AA, NN, OO, PP)	This rule primarily makes clarifying and technical changes to specific provisions that were unclear or did not have the intended effect. The subparts included in the rule are: General provisions, general stationary fuel combustion, electricity generation, aluminum production, ammonia manufacturing hydrogen production, nitric acid production, petrochemical production, petroleum refineries, pulp and paper manufacturing, suppliers of natural gas and natural gas liquids, suppliers of industrial greenhouse gases, suppliers of CO ₂ .	All reporting years
04/26/11	Revision to Petroleum and Natural Gas Systems (Subpart W)	Extends the dates for use of best available monitoring methods for subpart W.	2011
05/26/2011	Confidentiality Determination for the Mandatory Greenhouse Gas Reporting Rule and Proposed Rule Amendment Specifying Procedures for Handling Part 98 Data (Subparts A,C,D, E, F, G, H, K, N, O, P, Q, R, S, U, V, X, Y, Z, AA, BB, CC, EE, GG, HH, LL, MM, NN, OO, PP)	Determines which data elements will be publicly available and which will be kept confidential. The subparts addressed in this rule are those subparts that are applicable in reporting year 2010: General provisions, general stationary fuel combustion, electric generation, adipic acid production, aluminum production, ammonia manufacturing, cement production, ferroalloy production, glass production, HCFC-22 production and HCFC-23 destruction, hydrogen production, iron and steel production, lead production, lime manufacturing, miscellaneous uses of carbonate, nitric acid production, petrochemical production, phosphoric acid production, pulp and paper manufacturing, silicon carbide production, titanium dioxide production, zinc production, municipal solid waste landfills, suppliers of coal-based liquid fuels, suppliers of petroleum products, suppliers of natural gas and natural gas liquids, suppliers of industrial greenhouse gases and suppliers of CO ₂ .	All reporting years

Implementation of the GHG Reporting Program

To assist reporters in complying with this regulation, EPA has developed a suite of information and training resources including:

- An on-line applicability tool that will assist potential reporters to assess if they are required to report.
- A series of webinars, training slides, and other training opportunities on the reporting requirements of the rule, including the electronic GHG reporting tool (eGGRT).
- A hotline to answer technical questions on rule implementation and eGGRT.
- A variety of guidance documents for different audiences.
- Information sheets and monitoring checklists on reporting requirements for subparts.
- A searchable database of frequently asked questions.
- Technical background materials for the rule.

Implementation of the GHG Reporting Program

<http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>.

This information is provided solely for informational purposes. It does not provide legal advice, have legally binding effect, or expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits in regard to any person. The series of information sheets is intended to assist reporting facilities/owners in understanding key provisions of 40 CFR part 98