

Fact Sheet



Proposed Rule: Revisions to Reporting and Recordkeeping Requirements, and Proposed Confidentiality Determinations under the Greenhouse Gas Reporting Program

Background

- The Greenhouse Gas Reporting Program (GHGRP) collects greenhouse gas data from 41 source categories and currently has several years of data from these sources, including reports from more than 8,000 direct emitters and suppliers of greenhouse gases (GHGs).
- GHG emissions from direct emitters are calculated using a variety of methods, including direct measurement, mass balance, and the use of emission factors. For these reporters, the use of equations is required to calculate emissions unless direct measurement is used. The data entered into these equations often include process or production data specific to each facility's operations and play an important role in the EPA's ability to verify facility-level emissions and ensure compliance with the GHGRP.
- In July 2010, the EPA proposed confidentiality determinations for the data required to be reported for most source categories of the GHGRP. In that action, the EPA proposed that inputs to emission equations are emission data. The Clean Air Act precludes "emission data" from being treated as confidential. The EPA received comments to the proposal indicating significant stakeholder concerns regarding potential release of these data. In response to these comments, the EPA deferred the reporting deadline for inputs to emission equations to allow time to fully evaluate the concerns regarding the potential release of these data and to address such concerns as appropriate.¹

Overview of Proposed Action

- The EPA has completed its evaluation of the inputs to emission equations for which the reporting deadline was deferred until March 31, 2015, hereafter referred to as "inputs to equations" data elements. Where the Agency identified disclosure concerns, the EPA is proposing alternative recordkeeping and reporting requirements and verification procedures. These proposed changes build on the EPA's experience and success with electronic reporting and verification during the first three years of the GHGRP.
- The proposed amendment would maintain EPA's ability to verify data and ensure compliance without requiring reporting of data elements for which disclosure concerns have been identified; under the proposed amendment, such data would be kept as records rather than reported to the EPA.
- Reporting requirements for "inputs to equations" for which disclosure concerns were not identified (and would still be useful to the EPA) are not proposed to be amended in this action. For these "inputs to equations," the deferral would expire in March 2015, and the EPA would collect these data.

¹ 76 FR 53057 published 8/25/11

Alternative Verification Approach

- As discussed above, the EPA is proposing an alternative verification approach that includes:
 - Adding a requirement that reporters using “inputs to equations” data elements to calculate reported GHGs under 24 subparts must use an EPA-provided electronic inputs verification tool. The inputs verification tool would be deployed within the GHGRP’s electronic greenhouse gas reporting tool (e-GGRT) and would be used as part of the annual reporting process. The tool would conduct verification checks using the “inputs to equations” data elements for which disclosure concerns have been identified, but these “inputs to equations” data elements would not be reported to the EPA;
 - Adding 26 new data reporting elements to facilitate verification (in this action, the EPA is also proposing confidentiality determinations for the new data elements); and
 - Enhancing the recordkeeping requirements by changing the format for maintaining records of “inputs to equations” data elements and lengthening the record retention period from three to five years for all subparts that apply to the reporters required to use the electronic inputs verification tool.
- For the subparts where use of the inputs verification tool would be required (listed below), the designated “inputs to equations” data elements would be entered into the tool. The tool would calculate the emissions and conduct electronic verification. The tool would not retain the entered inputs; instead, it would conduct certain checks at the time of data entry and generate a verification summary. The verification summary would be accessible to the EPA once the annual report is submitted.
- The verification summary would indicate to the EPA whether the reported GHG values are different from the GHG values calculated by the inputs verification tool, based on the inputs to the emissions equations. This information, combined with additional electronic verification checks that would be conducted on the entered “inputs to equations” data elements, the revised recordkeeping requirements, and the new reporting elements, would provide the EPA with information necessary to conduct further verification once the annual report is submitted.
- Facilities for which the EPA is proposing to use the electronic inputs verification tool in lieu of reporting certain “inputs to equations” include those subject to the following subparts:

Subpart C (Stationary Fuel Combustion Sources, excluding specified sources connected to certain electric generators connected and able to deliver power to the local or regional power grid)	Subpart Q (Iron and Steel Production)
Subpart E (Adipic Acid Production)	Subpart R (Lead Production)
Subpart F (Aluminum Manufacturing)	Subpart S (Lime Manufacturing)
Subpart G (Ammonia Manufacturing)	Subpart U (Miscellaneous Uses of Carbonate)
Subpart H (Cement Production)	Subpart V (Nitric Acid Production)
Subpart K (Ferroalloy Production)	Subpart X (Petrochemical Production)
Subpart L (Fluorinated Gas Production)	Subpart Y (Petroleum Refineries)
Subpart N (Glass Production)	Subpart Z (Phosphoric Acid Production)
Subpart O (HFC-22 Production and HFC-23 Destruction)	Subpart AA (Pulp and Paper Manufacturing)
Subpart P (Hydrogen Production)	Subpart BB (Silicon Carbide Production)
	Subpart CC (Soda Ash Manufacturing)
	Subpart EE (Titanium Dioxide Production)
	Subpart GG (Zinc Production)
	Subpart TT (Industrial Waste Landfills)

More Information

- For more information on the GHGRP and a prepublication version of this action please visit our Web site at: www.epa.gov/climatechange/emissions/ghgrulemaking.html.
- The EPA has developed a “pilot” inputs verification tool for one subpart, Subpart X (Petrochemical Production), which will be posted at <http://www.epa.gov/ghgreporting/reporters/training/rulepilot.html> to demonstrate how the tool would work within e-GGRT, as well as the types of verification checks that would be conducted. The inputs verifier tool will be available from the date that the proposed rulemaking is published in the *Federal Register* until the comment period for the rulemaking closes.
- The public comment period is open for 60 days after publication in the *Federal Register*. Detailed instructions on how to provide comments are included in the Preamble of the proposed rule.