

Fact Sheet

Greenhouse Gas Reporting Program: Final Amendments and Confidentiality Determinations for Subpart I



Overview of Final Action

- This action finalizes amendments to the calculation and monitoring methodologies for subpart I, Electronics Manufacturing, of the Greenhouse Gas Reporting Program. Changes include revising certain calculation methods and adding a new method, amending data reporting requirements, and clarifying terms and definitions.
- This action also finalizes confidentiality determinations for the reporting of the new and revised data elements finalized in this rule.
- Many of these actions are in response to stakeholder feedback on specific aspects of subpart I.
- This notice also amends subpart A, General Provisions, to reflect the final changes to the reporting requirements in subpart I.
- This rule will be effective January 1, 2014. It will not impact reports for calendar year 2013 that will be submitted to EPA in March 2014. The changes in this final rule will impact reports for the 2014 calendar year.

Background

- The EPA is finalizing these amendments to:
 - (1) modify calculation methods and data requirements to better reflect new industry data and current practice;
 - (2) provide additional calculation methods to allow individual facilities to choose the method best suited for their operations;
 - (3) provide flexibility in implementation to balance the burden associated with existing requirements; and
 - (4) address potential disclosure concerns raised by industrial stakeholders.
- These amendments affect all facilities that manufacture electronics including those that manufacture semiconductors (including light emitting diodes), micro-electro-mechanical systems (MEMS), liquid crystal displays (LCDs), and/or photovoltaic (PV) cells.
- In this action, EPA is responding to stakeholder feedback and reconsidering certain aspects of subpart I as requested by the Semiconductor Industry Association (SIA).

Confidentiality Determinations

EPA is finalizing confidentiality determinations for data reporting elements that are newly added or revised in this action. EPA assigned the new or revised data reporting elements to 10 data categories as follows:

- Data elements assigned in this action to the following data categories that are “emission data” and therefore, under CAA section 114, be released to the public:
 - Facility and Unit Identifier Information (e.g., facility name and physical address);
 - Emissions;
 - Calculation Methodology and Methodological Tier; and
 - Data elements reported for periods of missing data that are not inputs to emission equations.
- Data elements assigned in this action to the following data category that are neither emission data nor CBI. Therefore, the data elements in the following data category would be released to the public:
 - Test and Calibration Methods.
- Data elements assigned in this action to the following data categories that are determined to be CBI. Therefore, the data elements in the following data categories would not be released to the public:
 - Production/Throughput Data (that are not inputs to emission equations);
 - Raw Materials Data (that are not inputs to emission equations); and
 - Detailed Process Specific and Vendor Information Submitted in Petitions to Extend the Use of BAMM.
- EPA finalized confidentiality determinations for most of the individual data elements in the following categories; some are determined to be CBI in the final rule and some do not to qualify for CBI protection (and would be released to the public). For several data elements in these categories, no confidentiality determination has been made. EPA will evaluate the confidentiality status of these data elements on a case-by-case basis, in accordance with existing CBI regulations in 40 CFR, part 2, subpart B:
 - Unit Static Characteristics (that are not inputs to emission equations); and
 - Unit Operating Characteristics (that are not inputs to emission equations).

Next Steps and Implementation

- This proposal will be published in the *Federal Register* and will be available at www.regulations.gov.
- A prepublication version is available on our Web site at: <http://www.epa.gov/ghgreporting/reporters/subpart/i.html>.
- EPA will host webinars for subpart I reporters to inform them of the changes to subpart I and

answer any questions about how these final changes impact monitoring, data collection, and reporting.

More Information

For more information on the GHGRP, including guidance and a schedule of training opportunities, please visit EPA's GHGRP website: <http://www.epa.gov/ghgreporting/index.html>.

For more information on the rulemakings related to CBI under the GHGRP: <http://www.epa.gov/ghgreporting/reporters/cbi/index.html>.

For more information on subpart I: <http://www.epa.gov/ghgreporting/reporters/subpart/i.html>.

For more information on subpart A: <http://www.epa.gov/ghgreporting/reporters/subpart/a.html>.