

Guide for Tribal Governments



Final Mandatory Reporting of Greenhouse Gases Rule

The Mandatory Reporting of Greenhouse Gases (GHGs) rule in general requires annual reporting to the U.S. Environmental Protection Agency (EPA) by suppliers of fossil fuels and industrial gases, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more of carbon dioxide equivalent (CO₂e) per year. The GHG emissions that must be reported are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and other fluorinated compounds.

Purpose of the Rule

The FY 2008 Consolidated Appropriations Act instructed EPA to develop a mandatory reporting program for GHG emissions above appropriate thresholds in all sectors of the U.S. economy. The goal of the reporting program is to provide accurate data to inform future climate change policies.

How does the rule affect tribes?

Tribal governments are required to submit an annual GHG report if they own or operate a facility that is subject to the rule. For example, a tribe that owns or operates a large industrial emission source such as a cement plant would be required to report emissions under this rulemaking because it is in the “all-in” category (see Table 1 in the General Provisions information sheet). Also, the owner or operator of any privately owned facility that meets the applicability requirements of the rule is required to report.

The rule applies to all types of stationary combustion equipment (except for emergency generators, emergency equipment, agricultural irrigation pumps, and portable equipment) if the aggregate maximum-rated heat-input capacity of all stationary fuel combustion units at a facility is 30 million British thermal units or greater per hour (mmBtu/hr) and the facility emits 25,000 metric tons or more of CO₂e per year from all stationary fuel combustion sources.

The rule applies to municipal solid waste landfills that generate CH₄ in amounts equal to 25,000 metric tons or more of CO₂e per year. It also applies to power generation plants that report to the EPA Acid Rain Program or emit 25,000 metric tons or more of CO₂e per year.

This rule is not expected to have a significant impact on tribal governments because the affected facilities are not expected to be owned by tribal governments.

How is the rule being implemented?

Facilities and suppliers that are subject to the rule must submit the emission data reports directly to EPA in an electronic format. EPA will verify the data (e.g., perform the quality assurance/quality control checks) by conducting automated checks for data completeness, quality, and consistency and by other means. EPA plans to provide public access to the data by posting electronic data on a Web site in a timely manner after the reporting deadline.

To facilitate implementation and compliance, EPA will conduct an active outreach and technical assistance program, including consultation with tribal governments, as needed or as requested. Outreach efforts include training webinars (see www.epa.gov/climatechange/emissions/ghgrulemaking.html) as

well as fact sheets, Frequently Asked Questions, and an Applicability Tool to help reporters assess whether they are required to report.

For More Information

This document 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 the final rule.

Visit EPA's Web site (www.epa.gov/climatechange/emissions/ghgrulemaking.html) for more information, including the final preamble and rule, additional information sheets on specific industries, the schedule for training sessions, and other documents and tools. For questions that cannot be answered through the Web site, please contact us at: ghgmrr@epa.gov.