

Supplemental Proposed Rule

Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule



Actions

The U.S. Environmental Protection Agency (EPA) is proposing to amend specific provisions of the Greenhouse Gas Reporting Program (GHGRP). The proposed amendments consist of three parts: amendments related to global warming potentials (GWPs), amendments to expand the GHGRP to new source categories, and amendments for certain sectors that would improve the data collected and program implementation.

In addition, EPA is proposing confidentiality determinations for data elements proposed to be added or revised as well as for existing data elements where no confidentiality determination has previously been made. These proposed determinations establish whether data submitted to EPA will be entitled to confidential treatment.



Background

Congress authorized funding for the creation of the GHGRP in the Fiscal Year 2008 Consolidated Appropriations Act, and EPA promulgated the program under Clean Air Act authority. The GHGRP currently requires reporting of greenhouse gas (GHG) data from certain large GHG emission sources, fuel and industrial gas suppliers, and CO₂ injection sites in the United States. The GHGRP includes 41 source categories, covering more than 8,000 facilities, and has published twelve years of data from most source categories.

In June of 2022, EPA proposed amendments to the GHGRP that would address changes in industry practices; adopt improved calculation and monitoring methods; and collect new data to understand new source categories or new emissions sources for specific sectors (2022 Data Quality Improvements Proposal, 87 FR 36920, June 21, 2022). EPA also requested comment from stakeholders on expanding the GHGRP to several new source categories.

EPA has subsequently received or identified new information to inform further improvements to the program. EPA has reviewed new data, updated guidance on GHG estimation methodologies, advances in scientific literature as well as comments raised by stakeholders on the 2022 Data Quality Improvements Proposal.

This supplemental proposal does not address implementation of the Inflation Reduction Act, which added section 136, "Methane Emissions and Waste Reduction Incentive Program" to the Clean Air Act. EPA intends to take one or more separate actions in the future to update the GHGRP to implement provisions of Clean Air Act section 136.



Proposed Revisions

EPA is proposing to revise Table A-1 of Subpart A (General Provisions) to include updated global warming potentials (GWPs). This would reflect advances in scientific knowledge, better characterize the climate impacts of certain GHGs, and adopt values agreed upon by the Parties to the United Nations Framework Convention on Climate Change. This would also maintain comparability and consistency with the Inventory of U.S. Greenhouse Gas Emissions and Sinks and other analyses produced by EPA.

EPA is proposing to add five new subparts to the GHGRP. The addition of these categories would improve the coverage of the GHGRP and inform the development of GHG policies and programs under the Clean Air

Act. The proposed amendments include new monitoring, calculation, reporting, and record keeping requirements as well as source category definitions for the following sources:

- B (Energy Consumption)
- WW (Coke Calciners)
- XX (Calcium Carbide Production)
- YY (Caprolactam, Glyoxal, and Glyoxylic Acid Production)
- ZZ (Ceramics Production)

EPA is proposing revisions to the following subparts that would address gaps in emissions reporting, update existing estimation methodologies, improve data verification, clarify certain requirements, or make limited technical corrections.

- A (General Provisions)
- C (General Stationary Fuel Combustion Sources)
- F (Aluminum Production)
- G (Ammonia Manufacturing)
- I (Electronics Manufacturing)
- N (Glass Production)
- P (Hydrogen Production)
- Y (Petroleum Refineries)
- AA (Pulp and Paper Manufacturing)
- HH (Municipal Solid Waste Landfills)
- OO (Suppliers of Industrial Greenhouse Gases)
- PP (Suppliers of Carbon Dioxide)
- QQ (Importers and Exporters of Fluorinated Greenhouse Gases Contained in Pre-Charged Equipment and Closed-Cell Foams)
- RR (Geologic Sequestration of Carbon Dioxide)
- UU (Injection of Carbon Dioxide)
- VV (Geologic Sequestration of Carbon Dioxide with Enhanced Oil Recovery Using ISO 27916)

EPA is proposing that the revisions, if finalized, would become effective on January 1, 2025, and that reporters would implement the changes beginning with annual GHG reports prepared for the 2025 reporting year and submitted on or before March 31, 2026.

- There is one exception to this proposed schedule with regards to the GWP amendments for current reporters. If finalized, the GWP amendments for such reporters would apply to annual GHG reports prepared for calendar year 2024 and submitted on or before March 31, 2025.



More Information

For more information on the GHGRP and an unofficial prepublication version of this action, please visit our Web site: <https://www.epa.gov/ghgreporting/rulemaking-notice-ghg-reporting>. The Federal Register notice for this proposal will be posted on this webpage when it is available.

The public comment period is open for 60 days after publication in the Federal Register. Detailed instructions on how to provide comments are located in the preamble of the proposed rule.