

MEMORANDUM

To: Docket EPA-HQ-OAR-2012-0934

From: Rachel Schmeltz, U.S. EPA, Climate Change Division

Date: September 30, 2013

Subject: Data category assignments and confidentiality determinations for new and substantially revised data elements in the Final “2013 Revisions to the Greenhouse Gas Reporting Rule and Confidentiality Determinations for New or Substantially Revised Data Elements.”

In this memorandum, we show the final data category assignments for new and substantially revised data elements that are added or revised in fourteen subparts in the *2013 Revisions to the Greenhouse Gas Reporting Rule and Confidentiality Determinations for New or Substantially Revised Data Elements*. These subparts include subparts A, C, H, K, X, Y, Z, AA, FF, HH, NN, QQ, RR, TT, and UU. The tables below show the data category assignment of each data reporting element and the confidentiality determinations (categorical through category assignment or individual) for these data elements, except for those assigned to the inputs to emission equations data category.

In the May 26, 2011 Final CBI rule (76 FR 30782), the EPA created 22 data categories for part 98 data elements, assigned individual data elements in 34 subparts to appropriate data categories, and issued categorical confidentiality determinations for nine of the direct emitter data categories and eight of the supplier data categories. The EPA did not make categorical determinations for two of the direct emitter data categories (“Unit/Process ‘Static’ Characteristics That are Not Inputs to Emission Equations” and “Unit/Process ‘Operating’ Characteristics That are Not Inputs to Emission Equations”) and three supplier data categories (GHGs Reported, Production/Throughput Quantities and Composition, and Unit/Process Operating Characteristics). The confidentiality determinations for data elements assigned to those categories were made on an element-by-element basis. The EPA has been following this approach in subsequent rulemakings to make confidentiality determinations for new and substantially revised data elements established in subsequent amendments to part 98.

In this action, the EPA is assigning 26 new or substantially revised data elements to data categories for which EPA issued categorical confidentiality determinations and is applying the categorical determinations to the assigned data elements. The EPA is assigning 16 new or revised data elements to the “Unit/Process ‘Static’ Characteristics That are Not Inputs to Emission Equations” and “Unit/Process Operating Characteristics That are Not Inputs to Emission Equations” direct emitter data categories and the “Production/Throughput Quantities and Composition” and “Unit/Process Operating Characteristics” supplier data categories and making confidentiality determinations for these reporting elements individually. We are not making data categories or confidentiality determinations for 2 data elements where the data elements are the same as another data element in the same subpart for which a confidentiality determination has already been finalized. The tables below identify the data categories and the

confidentiality determination for the new or revised data elements in the amendments. The EPA is assigning 15 new or revised data elements to the inputs to emission equations category but is not assigning confidentiality determinations for them.

For descriptions of the data categories and the categorical confidentiality determinations made for these categories, see the preambles to the proposed and final rulemakings: *Proposed Confidentiality Determinations for Data Required Under the Mandatory Greenhouse Gas Reporting Rule and Proposed Amendment to Special Rules Governing Certain Information Obtained Under the Clean Air Act* published on July 7, 2010 (75 FR 39094); and *Confidentiality Determinations for Data Required under the Mandatory Greenhouse Gas Reporting Rule and Amendment to Special Rules Governing Certain Information Obtained under the Clean Air Act* published on May 26, 2011 (76 FR 30782).

Copies of the proposed and final rules are available on EPA's website: <http://www.epa.gov/climatechange/emissions/CBI.html>, at the following links: <http://www.gpo.gov/fdsys/pkg/FR-2010-07-07/pdf/2010-16317.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2011-05-26/pdf/2011-12930.pdf>.

Appendix A-1

Final Data Category Assignments for Direct Emitters [Subparts A, C, H, K, X, Y, Z, AA, FF, HH and TT]

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
A	98.3(c)(1)	If the facility does not have a physical street address, then the facility must provide the latitude and longitude representing the geographic centroid or center point of facility operations in decimal degree format.	Revises reporting element to require facilities without a physical address to report the latitude and longitude.	Facility and Unit Identifier Information	Emission data
A	98.3(c)(13)	An indication of whether the facility includes one or more plant sites that have been assigned a “plant code” (as defined under §98.6) by either the Department of Energy’s (DOE) Energy Information Administration (EIA) or by the EPA’s Clean Air Markets Division (CAMD)	New	Facility and Unit Identifier	Emission data
C	98.36(b)(11)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data
C	98.36(c)(1)(xi)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data
C	98.36(c)(2)(xi)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data
C	98.36(c)(3)(x)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data
C	98.36(d)(1)(x)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data
C	98.36(d)(2)(ii)(J)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data
C	98.36(d)(2)(iii)(J)	Plant code (as defined in 98.6)	New	Facility and Unit Identifier Information	Emission data

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
H	98.86(a)(2)	Annual facility cement production.	Revised so reporting is on a annual facility wide basis instead of monthly kiln basis	Production/Throughput Data that are Not Inputs to Emission Equations	Not emission data and CBI
K	98.116(e)	Annual process CH ₄ emissions (in metric tons) from each EAF used for the production of any ferroalloy listed in Table K–1 of subpart K of 40 CFR part 98 (metric tons).	New	Emissions	Emission data
X	98.246(a)(6)	Name of each method listed in §98.244(b)(4) used to determine carbon content or molecular weight and a description of each type of device (e.g., flow meter, weighing device) and identification of methods (i.e., method number, title, or other description) used to determine flow or mass in accordance with §98.244(b)(1) through (3).	Revised to specify reporting requirements and add requirement to report description of device used to measure flow or mass.	Test & Calibration Methods	Not emission data and not CBI
X	98.246(a)(8)	Identification of each combustion unit that burned both process off-gas and supplemental fuel, including combustion units that are not part of the petrochemical process unit.	Revised to clarify reporter must include combustion units that are not part of the petrochemical process unit.	Facility and Unit Identifier Information	Emission data

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
X	98.246(b)(4)	For each CEMS monitoring location that meets the conditions in paragraph (b)(2) or (3) of this section, provide an estimate based on engineering judgment of the fraction of the total CO ₂ emissions that results from CO ₂ directly emitted by the petrochemical process unit plus CO ₂ generated by the combustion of off-gas from the petrochemical process unit	Revised to refer to the conditions in (b)(2) and (b)(3) and to specify reporting of total CO ₂ emissions attributable to the petrochemical process unit (process and off-gas combustion)	Emissions	Emission data
X	98.246(b)(5)	For each CEMS monitoring location that meets the conditions in paragraph (b)(2) of this section, report the CH ₄ and N ₂ O emissions expressed in metric tons of each gas.	Revised to refer to the conditions in (b)(2), and to clarify emissions of CH ₄ and N ₂ O be reported for each CEMS monitoring location.	Emissions	Emission data
X	98.246(b)(5)	For each CEMS monitoring location, provide an estimate based on engineering judgment of the fraction of the total CH ₄ and N ₂ O emissions that is attributable to combustion of off-gas from the petrochemical process unit	Revised to clarify the fraction of CH ₄ and N ₂ O attributable to combustion of off gas, rather than the fraction of all emissions.	Emissions	Emission data
Y	98.256(j)(10)	If you use Equation Y-19 of this subpart, the relevant information required under paragraph (l)(5) of this section.	New	None. Data category already assigned ¹ Error! Bookmark not defined.	None. Determination already finalized

¹ This data element is the same as another data element in the same subpart for which a CBI determination has already been finalized; see (76 FR 30801, May 26, 2011)

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
Y	98.256(k)(6)	If you use Equation Y-19 of this subpart, the relevant information required under paragraph (l)(5) of this section for each set of coke drums or vessels of the same size.	New	None. Data category already assigned	None. Determination already finalized
Z	98.266(b)	Annual phosphoric acid production capacity.	Revised to require production capacity instead of permitted production capacity.	Unit/Process Static Characteristics That are Not Inputs to Emission Equations	No determination ²
Z	98.266(f)(8)	Number of times missing data procedures were used to estimate CO ₂ contents of the phosphate rock (months) (if applicable).	New	Data Elements Reported for Periods of Missing Data that are Not Inputs to Emission Equations	Emission data
AA	98.276(k)	Annual production of unbleached virgin chemical pulp produced onsite during the reporting year.	Revised to specify products reported.	Production/Throughput Data That are Not Inputs to Emission Equations	Not emission data and CBI
FF	98.326(i)	If the quarterly CH ₄ concentration is based on CEMS or weekly sampling.	New	Test & Calibration Methods	Not emission data and not CBI
FF	98.326(o)	The moisture correction factor (if applicable) used in Equation FF-1 and FF-3.	New	Inputs to Emission Equations	No determination ⁴
FF	98.326(r)(2)	Start date of each well, shaft, and vent hole.	New	Unit/process Operating Characteristics That are Not Inputs to Emission Equations	Not emission data and not CBI
FF	98.326(r)(2)	Close date of each well, shaft, and vent hole.	New	Unit/process Operating Characteristics That are Not Inputs to Emission Equations	Not emission data and not CBI
FF	98.326(r)(3)	Number of days each well, shaft, or vent hole was in operation during the reporting year.	New	Unit/process Operating Characteristics That are Not Inputs to Emission Equations	Not emission data and not CBI
FF	98.326(t) ³	Mine Safety and Health Administration (MSHA) identification	New	Facility and Unit Identifier Information	Emission data

² A confidentiality determination has not been made for this data element. Capacity data elements may be competitively sensitive but may be publicly available in some instances; see (76 FR 30801, May 26, 2011). A determination for this data element will be made on a case-by-case basis.

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
HH	98.346(h)	Oxidation fraction used in the calculation for methane generation for landfills without gas collection systems	New	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(5)	If destruction occurs at the landfill facility, report for each measurement location the number of destruction devices associated with that measurement location and the annual operating hours, and the destruction efficiency (percent) for each destruction device associated with that measurement location.	Revised to include the number of destruction devices and reporting by destruction device and measurement location	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(6)	Annual quantity of recovered CH ₄ (metric tons CH ₄) calculated using Equation HH-4 of this subpart for each measurement location.	Revised to include reporting for each measurement location	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(7)	The annual operating hours of the gas collection system for each measurement location.	Revised to include reporting for each measurement location	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(8)	Oxidation fraction used in Equation HH-5 for landfills with gas collection systems.	New	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(10)	Oxidation fraction used in Equation HH-7 for landfills with gas collection systems.	New	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(11)	Oxidation fraction used in Equation HH-6 for landfills with gas collection systems.	New	Inputs to Emission Equations	No determination ⁴
HH	98.346(i)(12)	Oxidation fraction used in Equation HH-8 for landfills with gas collection systems.	New	Inputs to Emission Equations	No determination ⁴

³ Proposed as 98.326(u).

⁴ On July 7, 2010 (75 FR 39097) , we proposed that data elements in the “inputs to emissions equations” category meet the definition of “emission data” under 40 CFR 2.301(a)(2)(i). EPA is not finalizing that determination in this action.

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
TT	98.466(b)(1)	The number of waste streams (including “Other Industrial Solid Waste (not otherwise listed)” and “Inerts ”) for which Equation TT–1 of this subpart is used to calculate modeled CH ₄ generation.	Revised to include inert waste streams.	Unit/process Operating Characteristics That are Not Inputs to Emission Equations	Not emission data and not CBI
TT	98.466(c)(5)(i)	WIP at start of reporting year , or design capacity for closed landfills	New	Inputs to Emission Equations	No determination ⁴
TT	98.466(c)(5)(ii)	The cumulative quantity of waste placed in the landfill	New	Inputs to Emission Equations	No determination ⁴
TT	98.466(c)(5)(iii)	YrLast	New	Inputs to Emission Equations	No determination ⁴
TT	98.466(c)(5)(iv)	YrOpen	New	Inputs to Emission Equations	No determination ⁴
TT	98.466(c)(5)(v)	NYrData	New	Inputs to Emission Equations	No determination ⁴
TT	98.466(d)(3)	For each waste stream, indication as to whether the DOCx was a default value from Table TT-1 or a value determined through measurement.	Revised to clarify that the data element must be reported for each waste stream.	Calculation Methodology & Method, Tier	Emission data

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
TT	98.466(h)(1)	For landfills with gas collection systems, methane generation, adjusted for oxidation, calculated using equation TT-6	Revised to clarify this requirement should be calculated using Equation TT-6	Emissions	Emission data
TT	98.466(h)(2)	For landfills with gas collection systems, oxidation factor used in Equation TT-6.	New	Inputs to Emission Equations	No determination ⁴

Appendix A-2

Final Data Category Assignments for Suppliers⁴ [Subparts NN, QQ, RR, and UU]

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
NN	98.406(a)(4)(i)	<u>NGL Fractionator</u> : Annual quantity (in barrels) of y-grade, o-grade, or other bulk NGLs received.	Revised to specify quantity and materials received.	Amount and Composition of Materials Received	Data element is CBI
NN	98.406(a)(4)(ii)	<u>NGL Fractionator</u> : Annual quantity (in barrels) of y-grade, o-grade, or other bulk NGLs supplied to downstream users that are not fractionated by the reporter.	Revised to specify quantity and materials supplied downstream.	Amount and Composition of Materials Received	Data element is CBI

⁴ Supplier data does not meet the definition of emission data; see Confidentiality Determinations for Data Required Under the Mandatory Greenhouse Gas Reporting Rule and Amendments to Special Rules Governing Certain Information Obtained Under the Clean Air Act (76 FR 30785, My 26, 2011)

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
NN	98.406(b)(2)	<u>LCDs</u> : Annual volume in Mscf of natural gas placed into storage or liquified and stored (Fuel 1 in Equation NN-5a).	Revised to harmonize reporting requirements with calculation changes.	Production/Throughput Quantities and Composition	Data element is not CBI
NN	98.406(b)(3)	<u>LCDs</u> : Annual volume in Mscf of vaporized liquefied natural gas (LNG) produced at on-system vaporization facilities for delivery on the distribution system (Fuel2 in Equation NN-5a).	Revised to harmonize reporting requirements with calculation changes.	Amount and Composition of Materials Received	Data element is CBI
NN	98.406(b)(3)	<u>LCDs</u> : Annual volume in Mscf of natural gas withdrawn from on-system storage for delivery on the distribution system (Fuel2 in Equation NN-5a).	New	Amount and Composition of Materials Received	Data element is CBI
NN	98.406(b)(5)	<u>LCDs</u> : Annual volume in Mscf of natural gas that bypassed the city gates and was supplied through the LDC distribution system. This includes natural gas from producers and natural gas processing plants from local production, or natural gas that was vaporized upon receipt and delivered, and any other source that bypassed the city gate (Fuel2 in Equation NN-5b).	Revised to harmonize reporting requirements with calculation changes.	Amount and Composition of Materials Received	Data element is CBI
NN	98.406(b)(7)	<u>LCDs</u> : Annual volume in Mscf of natural gas delivered by the LDC to each large end-user as defined in §98.403(b)(2)(i).	Revised to clarify amount delivered to each sales or transportation customer's facility.	Customer and Vendor Information	Data element is CBI
NN	98.406(b)(12)	<u>LCDs</u> : Meter number for each end-user reported in paragraph (b)(7).	Revised to specify end-user instead of meter reading.	Customer and Vendor Information	Data element is CBI

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
NN	98.406(b)(12)	<u>LCDs</u> : Whether the quantity of natural gas reported in paragraph (b)(7) is the total quantity delivered or the quantity delivered to a large end-user's facility, or the quantity delivered to a specific meter located at the facility.	New	Customer and Vendor Information	Data element is CBI
QQ	98.436(a)(6)(iii)	If the reporter does not know the identity and the mass of the F-GHGs within the closed cell foam: For closed cell foams that are not imported inside of equipment, the density in CO ₂ e of the F-GHGs in the foam.	Revised to change mass to density.	Production/Throughput Quantities and Composition	Data element is CBI
QQ	98.436(b)(6)(iii)	If the reporter does not know the identity and the mass of the F-GHGs within the closed cell foam: For closed cell foams that are not exported inside of equipment, the density in CO ₂ e of the F-GHGs in the foam.	Revised to change mass to density.	Production/Throughput Quantities and Composition	Data element is CBI
RR	98.446(b)(5)	The standard or method used to calculate each value in paragraphs (b)(1), (b)(2), and (b)(3) of 40 CFR 98.446.	Revised to include paragraph (b)(3).	Calculation, Test, and Calibration Data	Data element is not CBI
UU	98.476(b)(5)	The standard or method used to calculate each value in paragraphs (b)(1), (b)(2), and (b)(3) of 40 CFR 98.476.	Revised to include paragraph (b)(3).	Calculation, Test, and Calibration Data	Data element is not CBI
UU	98.476(e)(1)	Whether the facility received a Research and Development project exemption from reporting under 40 CFR Part 98 subpart RR for the reporting year.	New	Unit/Process Operating Characteristics	Data element is not CBI
UU	98.476(e)(1)	If you received a Research and Development project exemption from reporting under 40 CFR Part 98 subpart RR for the reporting year, the start date of the exemption.	New	Unit/Process Operating Characteristics	Data element is not CBI
UU	98.476(e)(1)	If you received a Research and Development project exemption from reporting under 40 CFR Part 98 subpart RR for the reporting year, the end date of the exemption.	New	Unit/Process Operating Characteristics	Data element is not CBI

Subpart	Rule Citation for Data Reporting Element (new data elements; no change from previous citation for revised data elements)	Data Element Description	New or revised?	Data Category Assignment	Determination (Applying established categorical or individual determination)
UU	98.476(e)(2)	Whether the facility includes a well or group of wells where a CO2 stream was injected into subsurface geologic formations to enhance the recovery of oil during the reporting year.	New	Unit/Process Operating Characteristics	Data element is not CBI
UU	98.476(e)(3)	Whether the facility includes a well or group of wells where a CO2 stream was injected into subsurface geologic formations to enhance the recovery of natural gas during the reporting year.	New	Unit/Process Operating Characteristics	Data element is not CBI
UU	98.476(e)(4)	Whether the facility includes a well or group of wells where a CO2 stream was injected into subsurface geologic formations for acid gas disposal during the reporting year.	New	Unit/Process Operating Characteristics	Data element is not CBI
UU	98.476(e)(5)	Whether the facility includes a well or group of wells where a CO2 stream was injected for a purpose other than those listed in (e)(1)through (4) of 40 CFR 98.476.	New	Unit/Process Operating Characteristics	Data element is not CBI
UU	98.476(e)(5)	The purpose of the injection, if you injected CO ₂ for a purpose of than those listed in paragraph (e)(1) through (4) of 40 CFR 98.476.	New	Unit/Process Operating Characteristics	Data element is not CBI