

Proposed Rule: 2015 Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule

Action

- With this action, EPA is proposing amendments to specific provisions in 30 subparts of the Greenhouse Gas Reporting Rule to streamline implementation of the rule, improve the quality and consistency of the data collected under the rule, update certain technical provisions to more accurately reflect industry processes and emissions, and implement corrections for minor editorial or clarifications to existing requirements.
- This action also proposes to establish confidentiality determinations for the reporting of certain data elements added or revised in these proposed amendments and for a small number of existing data elements for which no confidentiality determination has been previously proposed or finalized.
- This action also proposes changes to reconsider specific aspects of subpart HH for municipal solid waste landfills related to soil cover requirements for using certain oxidation fractions.
- The EPA is planning to phase in implementation of the proposed revisions over reporting years 2016, 2017, and 2018. The year a revision will be implemented takes into consideration the types of revisions being made, and the associated changes needed to implement them, including impacts on reporters and revisions to the EPA's electronic Greenhouse Gas Reporting Tool (e-GGRT).
- We are proposing to stagger implementation of these revisions over reporting years 2016, 2017, and 2018. Therefore we have determined the incremental implementation costs for each of these reporting years (RY) as follows: \$9,359 for RY2016; \$33,782 for RY2017; \$2,006,337 for RY 2018; and a recurring cost of \$1,081,830 for each year thereafter (total for all facilities impacted). The large majority of these costs are associated with the changes in requirements within subpart FF to monitor methane liberated from underground coal mines which are proposed to be implemented in RY2018 and which will improve the quality of the data submitted.

Proposed Revisions to 30 Subparts

- The proposed revisions include the following types of changes:
 - ***Revisions to streamline implementation and reduce burden.*** These changes reduce or simplify requirements in a manner that would ease burden on reporters and the EPA. These revisions include revising requirements to focus EPA and reporter resources on relevant data, removing reporting requirements for specific facilities that report little or no emissions or removing reported data that are no longer necessary.
 - ***Amendments to improve quality of data.*** These amendments are needed to ensure that accurate data are being collected under the rule and would expand monitoring or reporting requirements that are necessary to improve verification and improve the accuracy of data used to inform the *Inventory of U.S. Greenhouse Gas Emissions and Sinks* (U.S. GHG Inventory). For example, the proposed action would require underground coal mines reporting under subpart FF to use one of two existing methods, with some modification, to measure emissions from ventilation while eliminating the option to use a third, less accurate method. These proposed revisions are intended to improve the quality of the data collected.

- **Minor amendments to better reflect industry processes and emissions.** These revisions include amendments to calculation, monitoring, or measurement methods that would address prior petitioner or commenter concerns including those that add flexibility for facilities. For example, in response to stakeholder feedback, the proposed action would amend the conditions required to use different oxidation factors that are used for estimating emissions under municipal solid waste landfills (subpart HH).
- **Minor clarifications and corrections to improve understanding of the rule.** These revisions include corrections to errors in terms and definitions in certain equations; clarifications that provide additional information for reporters to better or more fully understand compliance obligations; and other editorial or harmonizing changes that would improve the public’s understanding of the rule.
- EPA is proposing revisions to the following subparts of the Greenhouse Gas Reporting Rule:

Subpart A (General Provisions)	Subpart DD (Electrical Transmission and Distribution Equipment Use)
Subpart C (Stationary Combustion)	Subpart FF (Underground Coal Mines)
Subpart E (Adipic Acid Production)	Subpart HH (Municipal Solid Waste Landfills)
Subpart F (Aluminum Production)	Subpart II (Industrial Wastewater Treatment)
Subpart G (Ammonia Manufacturing)	Subpart LL (Suppliers of Coal-based Liquid Fuels)
Subpart I (Electronics Production)	Subpart MM (Suppliers of Petroleum Products)
Subpart N (Glass Production)	Subpart NN (Suppliers of Natural Gas and Natural Gas Liquids)
Subpart O (HFC-22 Production and HFC-23 Destruction)	Subpart OO (Suppliers of Industrial Greenhouse Gases)
Subpart P (Hydrogen Production)	Subpart PP (Suppliers of Carbon Dioxide)
Subpart Q (Iron and Steel Production)	Subpart RR (Geologic Sequestration of Carbon Dioxide)
Subpart S (Lime Manufacturing)	Subpart TT (Industrial Waste Landfills)
Subpart U (Miscellaneous Uses of Carbonate)	Subpart UU (Injection of Carbon Dioxide)
Subpart V (Nitric Acid Production)	
Subpart X (Petrochemical Production)	
Subpart Y (Petroleum Refineries)	
Subpart Z (Phosphoric Acid Production)	
Subpart AA (Pulp and Paper Manufacturing)	
Subpart CC (Soda Ash Manufacturing)	
- Contained within the preamble to this proposed rule are descriptions and explanations for the more substantive revisions to the various subparts. To reduce the length of the preamble, less substantive minor corrections, clarifications, and harmonizing revisions for each subpart are listed in the memorandum “Table of 2015 Revisions to the Greenhouse Gas Reporting Rule,” also known as the Table of Revisions, which is available in the docket for this rulemaking.

Proposed Confidentiality Determinations

- In this action, EPA is proposing confidentiality determinations for the new or substantially revised (i.e., requiring additional or different data to be reported) data reporting elements, as well as proposed confidentiality determinations for certain existing data elements for which the EPA has not previously made a determination or where the EPA has determined that the current determination is no longer appropriate. EPA followed the same methodology for categorizing data elements as in previous Greenhouse Gas Reporting Program’s CBI related rules.

- For a list of these data elements along with the corresponding proposed confidentiality determinations, see the memorandum “Proposed Data Category Assignments and Confidentiality Determinations for Data Elements in the 2015 Revisions” which may be found at <http://www.epa.gov/climatechange/emissions/CBI.html> and is available in the docket for this rulemaking.

Next Steps and Implementation

- A prepublication version of this action is available on our web site at: www.epa.gov/climatechange/emissions/ghgrulemaking.html
- **The public comment period is open for 45 days after publication in the *Federal Register*.**
- **After consideration of public comments, we intend to issue a final notice in 2016.**
- The proposed revisions would be phased in over the 2016, 2017, and 2018 reporting years.

Next Steps and Implementation

For more information on the GHG Reporting Rule, please visit EPA’s GHG Reporting Rule Website: www.epa.gov/climatechange/emissions/ghgrulemaking.html.