

## **Final Rule: 2012 Technical Corrections, Clarifying and Other Amendments to the Greenhouse Gas Reporting Rule, and Confidentiality Determinations for Certain Data Elements of the Fluorinated Gas Source Category**

### **ACTION**

- The U.S. Environmental Protection Agency (EPA) is promulgating amendments to specific provisions of the Greenhouse Gas Reporting Rule to provide greater clarity and flexibility to facilities subject to reporting emissions from the following source categories: electronics manufacturing (subpart I), petroleum and natural gas systems (subpart W), fluorinated gas production (subpart L), and industrial waste landfills (subpart TT).<sup>1</sup>
- These source categories will report GHG data for the first time in September of 2012.
- These amendments are not expected to increase burden to reporters and have no effect on the total amount of GHG emissions covered by the GHG reporting program.

### **FINAL RULE OVERVIEW**

This final rule does not significantly change the overall calculation and monitoring requirements of 40 CFR part 98. The amendments outlined below correct errors and clarify existing requirements and add flexibility in order to facilitate accurate and timely reporting.

#### **General Provisions (Subpart A)**

EPA is amending subpart A to align the definition of heat transfer fluids found in subpart I (Electronics Manufacturing) with the annual emissions reporting requirements in subpart A. EPA recently finalized a rule<sup>2</sup> which amended the definition of heat transfer fluid, and this amendment to subpart A is necessary to make reporting requirements consistent with this new definition.

#### **Fluorinated Gas Production (Subpart L)**

EPA is amending reporting requirements for facilities subject to subpart L to report greenhouse gas emissions in a more aggregated manner for Reporting Years 2011 and 2012. This amendment is a temporary change to allow the EPA time to fully evaluate concerns recently raised by stakeholders that reporting, and subsequent EPA release, of certain emissions data would reveal trade secrets. EPA is also making confidentiality determinations for four new subpart L data elements, and finalizing an amendment to the general provisions to defer the reporting deadline for one data element.

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<sup>1</sup> For additional information on source categories reporting 2011 GHG data to EPA for the first time in 2012 see: <http://www.epa.gov/climatechange/emissions/ghgdata/faq.html#q5>

<sup>2</sup> 77 FR 10373; February 22, 2012.

## **Petroleum and Natural Gas Systems (Subpart W)**

The EPA is finalizing minor corrections and clarifying amendments to certain provisions to assist facilities with implementing existing rule requirements. Examples include:

- Correcting units in equations (e.g, removing the factor of 1,000 in the calculation of emissions for dehydrator vents and correcting the density of methane);
- Correcting terminology for well venting for liquid unloading to be clear that measurement does not have to happen at all wells, but rather representative wells;
- Correcting references to standard temperature and pressure in various equations (e.g., gas well completions/workovers with hydraulic fracture, blowdown vent stacks, and well testing venting and flaring); and
- Correcting incorrect cross references in equations.
- Correcting units in specific data reporting requirements.

## **Industrial Waste Landfills (Subpart TT)**

EPA is finalizing a minor amendment to clarify the provision in the Greenhouse Gas Reporting Rule that exempts industrial waste landfills that receive only inert materials from reporting under this subpart. This amendment ensures that landfills that are not expected to emit GHGs are excluded from reporting under this subpart.

## **NEXT STEPS AND IMPLEMENTATION**

A pre-publication version of the preamble and regulatory text is available on the EPA's website at: <http://www.epa.gov/climatechange/emissions/notices.html>.

## **MORE INFORMATION**

- The preamble and regulatory text will be published in the Federal Register and will be made available at [www.regulations.gov](http://www.regulations.gov), the EPA's electronic public docket and comment system. Other information will also be made available at this website. The Docket ID number is: EPA-HQ-OAR-2011-0147. Information is also available at the EPA Docket Center (EPA/DC) Public Reading Room. For more information, please call 202-566-1744 between the hours of 8:30 A.M. and 4:30 P.M. Eastern Daylight Time.
- For more information **on other provisions of the GHG Mandatory Reporting Rule finalized in October 2009 and the subsequent amendments during 2010, 2011, and 2012 including** implementation information and a schedule of training opportunities, visit the EPA website: [www.epa.gov/climatechange/emissions/ghgrulemaking.html](http://www.epa.gov/climatechange/emissions/ghgrulemaking.html).
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