

Guide for State and Local Agencies



Final Rule: Mandatory Reporting of Greenhouse Gases

The Mandatory Reporting of Greenhouse Gases (GHGs) rule requires in general that annual reports be submitted to EPA by suppliers of fossil fuels and industrial GHGs, manufacturers of vehicles and engines outside of the light duty sector, and downstream facilities that emit 25,000 metric tons or more CO₂ equivalent 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 (December 26, 2007) authorized 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 and timely data, which will be used to help guide future policies on climate change.

How does this rule relate to other state and regional reporting and reduction programs?

There are several existing state and regional GHG reporting and reduction programs. These are important programs that not only led the way in reporting of GHG emissions before the Federal government acted but also assist in quantifying the GHG reductions achieved by various policies. Many of these programs collect different or additional data as compared to this rule. For example, state programs may establish lower thresholds for reporting or requesting information on areas not addressed in EPA's reporting rule (e.g., electricity use or emission related to other indirect sources). States collecting additional information have determined that these data are necessary to implement their specific climate policies and programs. State and regional programs are crucial to achieving emissions reductions, and this rule does not preempt any other programs.

EPA's GHG reporting rule is a specific action that was specifically developed in response to the Appropriations Act, and therefore is targeted to accomplish the purpose of the language of the Appropriations Act and serve EPA's purposes under the Clean Air Act. As state experience has demonstrated, EPA recognizes that in order to address the breadth of climate change issues there will likely be a need to collect additional data from sources subject to this rule as well as other sources. The timing and nature of these additional needs will be dependent on the types of programs and actions the EPA has underway or may develop and implement in response to future policy developments and/or new requests from Congress. Addressing climate change will require a suite of policies and programs and this reporting rule is just one effort to collect information to inform those policies.

EPA is committed to working with state and regional programs to coordinate implementation of reporting programs, reduce the burden on reporters, provide timely access to verified emissions data, establish mechanisms to efficiently share data, and harmonize data systems to the extent possible.

Will states and municipalities have to report emissions from their facilities?

States, municipalities, and tribes could be required to submit an annual GHG report if they own or operate facilities subject to the rule. Landfills and stationary combustion equipment are the most likely types of facilities that might trigger applicability. The rule applies to all types of stationary combustion equipment (except for emergency generators 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 per hour (mmBtu/hr) or greater, and the facility emits 25,000 metric tons or more of carbon dioxide equivalent (CO₂e) per year from all stationary fuel combustion sources. The rule applies to landfills that generate CH₄ in amounts equal to 25,000 metric tons of CO₂e or more per year. It also applies to municipal power generation plants that report to the EPA Acid Rain Program or emit 25,000 metric tons or more of CO₂e per year. EPA has developed an Applicability Tool to aid in assessing whether they are required to report under the rule, which is available at:

<http://www.epa.gov/climatechange/emissions/GHG-calculator/index.html>.

How will data be efficiently shared among existing state GHG programs and this new federal reporting program?

Reporting entities will report directly to EPA. In order to reduce the burden of reporting, EPA staff is working with states, The Climate Registry and the Exchange Network on a data exchange standard for GHG reporting. EPA is also committed to working with state and regional programs to provide timely access to verified emissions data, establish mechanisms to share data efficiently, and harmonize data systems to the extent possible. We are working to create an expanded version of the Consolidated Emission Reporting Schema (CERS), a data reporting format broadly adopted by facilities and states for air pollution reporting to EPA's National Emissions Inventory, which will be compatible with the GHG Mandatory Reporting Rule. We are also working to ensure GHG data collected and published by EPA in electronic formats including CERS is compatible with the needs of states and other GHG stakeholders.

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.