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Unofficial electronic compilation of the
U.S. EPA Final Rule on Mandatory Reporting of Greenhouse Gases
incorporated by reference in California’s Regulation for the
Mandatory Reporting of Greenhouse Gas Emissions

Unofficial Electronic Compilation

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The official legal versions of the incorporated CFR provisions from the Federal Register are available, with the incorporated Federal Register notice and date, at http://www.epa.gov/climatechange/emissions/subpart.html.

To access the incorporated versions, click on the relevant subpart(s) for your reporting entity, then click on the Final Rule which corresponds to the incorporated date(s). For instance, when reporting is required under Subpart C of the U.S. EPA Rule, click on Subpart C (http://www.epa.gov/climatechange/emissions/subpart/c.html), then click on the applicable dates – October 30, 2009 (http://www.epa.gov/climatechange/emissions/downloads09/GHG-MRR-FinalRule.pdf) and December 17, 2010 (http://edocket.access.gpo.gov/2010/pdf/2010-30286.pdf) – to access the applicable requirements.
PART 98—MANDATORY GREENHOUSE GAS REPORTING

Subpart D—Electricity Generation

§98.40 Definition of the source category.
(a) The electricity generation source category comprises electricity generating units that are subject to the requirements of the Acid Rain Program and any other electricity generating units that are required to monitor and report to EPA CO₂ mass emissions year-round according to 40 CFR part 75.
(b) This source category does not include portable equipment, emergency equipment, or emergency generators, as defined in §98.6.

§98.41 Reporting threshold.
You must report GHG emissions under this subpart if your facility contains one or more electricity generating units and the facility meets the requirements of §98.2(a)(1).

§98.42 GHGs to report.
(a) For each electricity generating unit that is subject to the requirements of the Acid Rain Program or is otherwise required to monitor and report to EPA CO₂ emissions year-round according to 40 CFR part 75, you must report under this subpart the annual mass emissions of CO₂, N₂O, and CH₄ by following the requirements of this subpart.
(b) For each electricity generating unit that is not subject to the Acid Rain Program or otherwise required to monitor and report to EPA CO₂ emissions year-round according to 40 CFR part 75, you must report under subpart C of this part (General Stationary Fuel Combustion Sources) the emissions of CO₂, CH₄, and N₂O by following the requirements of subpart C.
(c) For each stationary fuel combustion unit that does not generate electricity, you must report under subpart C of this part (General Stationary Fuel Combustion Sources) the emissions of CO₂, CH₄, and N₂O by following the requirements of subpart C of this part.
§98.43 Calculating GHG emissions.

Continue to monitor and report CO₂ mass emissions as required under §75.13 or section 2.3 of appendix G to 40 CFR part 75, and §75.64. Calculate CO₂, CH₄, and N₂O emissions as follows:

(a) Except as provided in paragraph (b) of this section, continue to monitor and report CO₂ mass emissions as required under §75.13 or section 2.3 of appendix G to 40 CFR part 75, and §75.64. Calculate CO₂, CH₄, and N₂O emissions as follows:

   (1) Convert the cumulative annual CO₂ mass emissions reported in the fourth quarter electronic data report required under §75.64 from units of short tons to metric tons. To convert tons to metric tons, divide by 1.1023.

   (2) Calculate and report annual CH₄ and N₂O mass emissions under this subpart by following the applicable method specified in §98.33(c).

(b) Calculate and report biogenic CO₂ emissions under this subpart by following the applicable methods specified in §98.33(e). The CO₂ emissions (excluding biogenic CO₂) for units subject to this subpart that are reported under §§98.3(c)(4)(i) and (c)(4)(iii)(B) shall be calculated by subtracting the biogenic CO₂ mass emissions calculated according to §98.33(e) from the cumulative annual CO₂ mass emissions from paragraph (a)(1) of this section. Separate calculation and reporting of biogenic CO₂ emissions is optional only for the 2010 reporting year pursuant to §98.3(c)(12) and required every year thereafter.

§98.44 Monitoring and QA/QC requirements

Follow the applicable quality assurance procedures for CO₂ emissions in appendices B, D, and G to 40 CFR part 75.

§98.45 Procedures for estimating missing data.

Follow the applicable missing data substitution procedures in 40 CFR part 75 for CO₂ concentration, stack gas flow rate, fuel flow rate, high heating value, and fuel carbon content.

§98.46 Data reporting requirements.

The annual report shall comply with the data reporting requirements specified in §98.36(d)(1).

§98.47 Records that must be retained.

You shall comply with the recordkeeping requirements of §§98.3(g) and 98.37. Records retained under §75.57(h) of this chapter for missing data events satisfy the recordkeeping requirements of §98.3(g)(4) for those same events.

§98.48 Definitions.

All terms used in this subpart have the same meaning given in the Clean Air Act and subpart A of this part.