

Special Provisions for 2011



Mandatory Reporting of Greenhouse Gases (40 CFR part 98)

For reporting year 2011 (January 1-December 31, 2011), the annual report that is submitted in 2012 must include emissions from 12 new source categories. Generally, facilities and suppliers in these new categories must begin collecting data and complying with all requirements of the rule starting on January 1, 2011. However, the rule contains some provisions for flexibility for the 2011 reporting year. These provisions mean that certain facilities or suppliers will not have to meet some of the requirements during part or all of 2011.

The major requirements for the 2011 reporting year, including any special provisions, are summarized in the table below.

Rule Requirement	Applicability	Reference
Reporting deadline of April 2, 2012	All facilities that do NOT contain any of the new 2011 source categories	§98.3(b)
One-time reporting deadline extension to September 28, 2012	All facilities that contain one or more of the new 2011 source categories	§98.3(b)(1)
Notification of reporting date extension on April 2, 2012	All facilities that contain one or more of the new 2011 source categories AND that submitted a GHG report for reporting year 2010 under other subparts	§98.3(b)(1)
Use of best available monitoring methods is allowed for all or part of 2011 for the new 2011 source categories (with possible extension beyond December 31, 2011 for some source categories)	Any parameter for which it is not reasonably feasible to acquire, install, and operate a required piece of equipment	§98.3(d)(1) and the “Monitoring and QA/QC” section of each applicable new 2011 subpart.
Postponement of equipment calibrations beyond January 1, 2011	Monitoring devices with active calibrations	§98.3(i)(5)
Monitoring plan completed or revised by January 1, 2011	All facilities	§98.3(g)(5)(i)

New 2011 Reporting Year Source Categories

For the new 2011 source categories (listed below), GHG data collection begins on January 1, 2011.

- Electronics Manufacturing (subpart I)
- Fluorinated Gas Production (subpart L)
- Magnesium Production (subpart T)
- Petroleum and Natural Gas Systems (subpart W)
- Use of Electric Transmission and Distribution Equipment (subpart DD)
- Underground Coal Mines (subpart FF)
- Industrial Wastewater Treatment (subpart II)
- Imports and Exports of Equipment Pre-charged with Fluorinated GHGs or Containing Fluorinated GHGs in Closed-cell Foams (Subpart QQ)
- Geologic Sequestration of Carbon Dioxide (subpart RR)
- Manufacture of Electric Transmission and Distribution (subpart SS)
- Industrial Waste Landfills (subpart TT)
- Injection of Carbon Dioxide (subpart UU)

Reporting Deadline

When must I submit my annual GHG report?

Some facilities and suppliers will submit the report by April 2, 2012 (the reporting deadline according to 4 CFR 98.3(b) is March 31, 2011, however, because this date falls on a Saturday in 2012, the annual report is due on the next business day) and some by September 28, 2012.

- If you submitted a GHG report for reporting year 2010 and you will not be reporting on any of the new 2011 source categories, then your report is due by April 2, 2012.
- If you are required to report for any of the new 2011 source categories, then your report is due on September 28, 2012. However, if the facility submitted a GHG annual report for reporting year 2010 under another subpart (e.g., stationary fuel combustion), then by April 2, 2012 you must notify EPA through e-GGRT that you are not required to submit the second annual report until September 28, 2012. The reporting deadline extension applies to all subparts being reported by the facility or supplier.

Example: A petroleum refinery that has an industrial waste landfill (subpart TT) or an industrial wastewater treatment system (subpart II) onsite will not submit their annual GHG report for reporting year 2011 until September 28, 2012. A petroleum refinery that does not contain an industrial waste landfill, wastewater treatment system, or any other of the new 2011 subparts is still required to submit their 2011 report by April 2, 2012.

- If you reported as a facility and a supplier in a single annual GHG report in 2010 (to be able to do this your facility and supplier operations MUST have had the same corporate address and be represented by the same designated representative) AND your facility is required to report on a new 2011 source category in 2012, then the reporting deadline for all source categories in your report, including the supplier operations, is extended to September 28, 2012. If your company has both facility and supplier operations, but these operations were reported in separate annual GHG reports in 2011, and the 2012 annual GHG report for the supplier operations will not include any

new 2011 source categories, then the annual GHG report for the supplier operations is due April 2, 2012.

- For all facilities and suppliers, the annual report for reporting years 2012 and beyond must be submitted no later than March 31 of each calendar year for GHG emissions in the previous calendar year (unless the 31st is a Saturday, Sunday, or federal holiday in which case the reports are due on the next business day).

Best Available Monitoring Methods (BAMM)

What are the provisions for BAMMs for the new 2011 subparts?

Each subpart establishes requirements for monitoring emission parameters (e.g., gas flow rates, production volume) and calculation methods for transforming the parameter data into GHG estimates. Each of the 2011 new subparts has provisions for using BAMM, if you determine that it is not reasonably feasible to acquire, install, and operate the required monitoring equipment by January 1, 2011. Refer to the “Monitoring and QA/QC Requirements” section of each subpart to learn about the specific BAMM provisions. In general, BAMM is allowed as follows:

- For subparts I and W, BAMM is automatically allowed for all of 2011.
- For subparts T, II, FF and TT, approval by EPA is required to use BAMM at any time in 2011.
- For the other new 2011 subparts, BAMM is automatically allowed for part of 2011, and approval by EPA is required to use BAMM beyond the specified dates.
- For three new 2011 subparts only (subparts I, L, and W)¹, the use of BAMM is allowed beyond December 31, 2011, if approved by EPA.

When you use BAMM, you must estimate your facility’s emissions using the calculation procedures in the rule, but you can use BAMM rather than the specified monitoring methods in the applicable subpart for determining the inputs to the calculations.

BAMMs could include the following:

- Monitoring methods currently used by your facility that do not meet the specifications of a relevant subpart.
- Supplier data.
- Engineering calculations.
- Other company records.

If you use BAMM, then for your GHG annual report you must include the following:

- Brief descriptions of each BAMM used.
- The parameter measured using that method.
- The time period during which the method was used.

At the end of the allowable BAMM period, you must begin using required monitoring methods in the rule.

Can I use BAMMs beyond December 31, 2011 for subparts I, L and W?

¹ BAMM was also allowed beyond December 31, 2011 for some source categories required to begin data collection in 2010 (petroleum refineries, petrochemical facilities and hydrogen plants). For more information on this process for use of BAMM, please refer to 40 CFR 98.3(j).

In general, EPA will not grant extensions beyond December 31, 2011. However, facilities that are subject to reporting under subpart I (Electronic Manufacturing), subpart L (Fluorinated Gas Production), and subpart W (Petroleum and Natural Gas Production) may submit requests to extend the use of BAMMs beyond December 31, 2011. For information on submitting BAMM extension requests beyond December 31, 2011, refer to the “Monitoring and QA/QC Requirements” section of these subparts. A fact sheet on the BAMM provisions for subpart W is available at: <http://www.epa.gov/climatechange/emissions/downloads11/documents/subpart-w-bamm-factsheet.pdf>

Equipment Calibration

When specified by an applicable subpart, liquid and gas flow meters must be calibrated to meet 5 percent accuracy requirements prior to **January 1, 2011**. For facilities and suppliers that become subject to the rule after January 1, 2011 (e.g., new facilities), calibration is required by the date that data collection is required to begin.

In what situations can I postpone initial calibration?

Initial calibration may be postponed after January 1, 2011, or the first date of data collection required, whichever is later, if your monitoring equipment has already been calibrated according to a method specified in the applicable subpart and the previous calibration is still active, meaning that the device is not due for recalibration according to the specification of the applicable calibration method used. You do NOT need to recalibrate until the previous calibration has elapsed.

Monitoring Plans

When must I prepare a monitoring plan?

All facilities and suppliers that are subject to the new 2011 subparts must prepare a monitoring plan by January 1, 2011. If you were subject to the rule for reporting year 2010, then you must revise your monitoring plan by January 1, 2011 to incorporate the additional monitoring requirements of the new 2011 subparts. Monitoring plans **DO NOT** need to be submitted to EPA for approval; rather, they must be kept on site as a recordkeeping requirement.

If your data collection methods change as you gain experience with monitoring equipment and develop more effective procedures for data management, your monitoring plan must be revised to reflect these changes.

If I use BAMM, do I still need to have a completed monitoring plan by January 1, 2011?

Yes. The monitoring plan must include the information in section 98(g)(5), including a description of the processes and methods used to collect the necessary data for the GHG calculations. This includes any methods used during the interim time period during which BAMM is allowed. Under all circumstances, your monitoring plan must be completed by January 1, 2011. The monitoring plan must be revised when there are any changes in methods or procedures.

Will EPA provide a template for the monitoring plans and review plans?

At this time, EPA has no plans to specify a monitoring plan template because the Agency wants to provide the flexibility for reporters to rely on references to existing corporate maintenance plans, operating procedures, quality assurance plans, and other documents, including those prepared under other rules (e.g., acid rain, New Source Performance Standards). However, the monitoring plan must include all

of the elements listed in 40 CFR 98.3(g)(5)(i) of the rule. EPA will not review monitoring plans unless EPA requests such a review as part of an audit.

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: GHGReporting@epa.gov.