

**Briefing for OAR on GHGRP Rule
April 4, 2025**

Purpose: To obtain OAR direction on the scope of the Greenhouse Gas Reporting Program (GHGRP) reconsideration rulemaking and schedule.

1. Background

Congress authorized funding for the creation of the GHGRP in the Fiscal Year 2008 Consolidated Appropriations Act, and EPA promulgated the program under Clean Air Act (CAA) authority. The GHGRP has required annual reporting of greenhouse gases (GHG) from large GHG emission sources, fuel and industrial gas suppliers, and CO₂ injection sites in the United States since 2010. There are approximately 5,700 reporters, covering 45 source categories (excluding subpart W). The annual cost for reporting is estimated at \$41M (excluding subpart W) with the cost per reporter varying by subpart.

On April 25, 2024, GHGRP issued a final rule that made a number of modifications to the program. The National Waste & Recycling Association (NWRA) filed petitions for review and reconsideration of this rule. The petition for reconsideration was limited to the default landfill gas collection efficiency values for municipal solid waste landfills. EPA granted reconsideration on August 8, 2024, and the petition for review has been put in abeyance with a status report due every 120 days.

On March 12, 2025, EPA announced plans for a reconsideration of the “Mandatory Reporting of Greenhouse Gases” (74 FR 56260; October 30, 2009) and all later rules that have amended this rule. EPA is developing a separate action to reconsider Subpart W (Petroleum and Natural Gas Systems).

2. Options for Reconsideration Proposal

Per direction provided in the executive orders “Unleashing Prosperity through Deregulation” and “Unleashing American Energy” and in alignment with the Administrator’s priorities to Power the Great American Comeback, included below are options for a proposed rule to reconsider the Greenhouse Gas Reporting Program.

Ex. 5 Deliberative Process (DP)

Subparts Relied Upon by EPA

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Subparts Relied upon by the USG

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Industry Uses of GHGRP

- **Subpart C (Combustion)**

- Oil and Gas Industry:

- Combustion emissions are a significant portion of emissions from the oil and gas industry, and depending on the subsector, combustion emissions are reported under Subpart C or Subpart W. To have a complete and comparable accounting of emissions across different subsectors, it is important to retain combustion emissions reporting for all segments of the oil and gas sector.
 - There are several options on how to structure reporting combustion emissions from the oil and gas sector:
 - Retain the current GHGRP requirement for industry to report combustion emissions under subpart C for some industry segments and subpart W for others
 - Eliminate Subpart C and move all combustion emissions to Subpart W
 - Move all combustion emissions from Subpart W into Subpart C (as requested by industry in response to the 2024 W and WEC proposed rules, since only W emissions are subject to the Waste Emissions Charge).
 - The oil and gas industry may want to continue reporting combustion emissions under Subpart C (or Subpart W) to help them meet requirements for imported fuels under EU regulations,³ satisfy reporting criteria under Oil &

² See [[HYPERLINK "https://www.irs.gov/pub/irs-drop/n-22-57.pdf"](https://www.irs.gov/pub/irs-drop/n-22-57.pdf)]

³ See [[HYPERLINK "https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401787&pk_campaign=todays_OJ&pk_source=EURLEX&pk_medium=X&pk_keyword=energy_sector&pk_content=Regulation&pk_cid=EURLEX_todaysOJ"](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401787&pk_campaign=todays_OJ&pk_source=EURLEX&pk_medium=X&pk_keyword=energy_sector&pk_content=Regulation&pk_cid=EURLEX_todaysOJ)]

Gas Methane Partnership (OGMP 2.0) standards, and meet any future Measurement, Monitoring, Reporting & Verification (MMRV) framework⁴ being developed by DOE and others.

- Many other industries report combustion emissions under Subpart C. Eliminating the requirement to report under Subpart C for all facilities that do not report under other subparts would significantly reduce reporting burden.

Ex. 5 Deliberative Process (DP)

3. Ex. 5 Deliberative Process (DP)

Greenhouse Gas Inventory (GHGI):

GHGRP data provide the only means to develop accurate estimates of national level emissions for the following source categories: Municipal solid waste landfills (Subpart HH), Petroleum and natural gas systems (Subparts C and W), and Underground coal mining (Subpart FF).

Ex. 5 Deliberative Process (DP)

State Uses of GHGRP:

Several States have incorporated regulatory flexibility and reduced regulatory burden on industries by allowing sources to use their GHGRP report to satisfy State GHG reporting requirements:

- 5 States use the GHGRP to fulfill mandatory state reporting requirements.
- At least 4 States use the GHGRP to inform their state-required GHG inventories
- At least 3 States use GHGRP data or methodologies to confirm or inform their reporting or inventories.

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4. Other Elements to Consider Including in Proposal

Ex. 5 Deliberative Process (DP)

5. GHGRP Reconsideration Rule Schedule

Option 1:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Option 2:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Appendix A: Details on GHGRP Subparts

S u b p a r t	Na me	Considerations
A	Ge ner al Pro visi ons	Ex. 5 Deliberative Process (DP)
B	[res erv ed]	
C	Co mb usti on	
D.	Ele ctri city Ge ner atio n	
E.	Adi pic Aci d Pro duc tion	
F.	Alu min um Pro duc tion	
G.	Am mo nia Ma nuf act urin g	
H.	Ce me	

S u b p a r t	Na me	Considerations
	nt Pro duc tion	Ex. 5 Deliberative Process (DP)
I.	Ele ctro nics Ma nuf act urin g	
J.	[res erv ed]	
K.	Fer roal loy Pro duc tion	
L	Flu orin ate d Ga s Pro duc tion	
M	[res erv ed]	
N.	Gla ss Pro duc tion	
O.	HC FC- 22 Pro	

Ex. 5 Deliberative Process (DP)

S u b p a r t	N a m e	C o n s i d e r a t i o n s
	duction and HF C-23 Destruction	Ex. 5 Deliberative Process (DP)
P.	Hydrogen Production	
Q.	Iron and Steel Production	
R.	Lead Production	
S.	Lime Manufacturing	
T.	Magnesium Production	
U.	Miscellaneous	

S u b p a r t	N a m e	Considerations
	aneous Uses of Car bon ate	Ex. 5 Deliberative Process (DP)
V.	Nitric Acid Pro duc tion	
W.	Pet role um and Nat ural Ga s Sys tem s	
X.	Pet roc he mic al Pro duc tion	
Y.	Pet role um Refi neri es	
Z	Pho sph oric Aci d	

S u b p a r t	Na me	Considerations
	Pro duc tion	Ex. 5 Deliberative Process (DP)
A A.	Pul p and Pap er Ma nuf act urin g	
B B.	Sili con Car bid e Pro duc tion	
C C	Sod a Ash Ma nuf act urin g	
D D.	Ele ctri cal Tra ns mis sio n and Dist ribu tion Equ ipm	

Subpart	Name	Considerations
	ent Use	Ex. 5 Deliberative Process (DP)
E.E.	Titanium Dioxide Production	
F.F.	Underground Coal Mines	
G.G.	Zinc Production	
H.H.	Municipal Solid Waste Landfills	
II.	Industrial Wastewater Treatment	

S u b p a r t	Na me	Considerations	
		atm ent JJ . Ma nur e Ma nag em ent L L. Sup plie rs of Co al- bas ed Liq uid Fue ls M M . Sup plie rs of Pet role um Pro duc ts N N. Sup plie s of Nat ural Ga s and Nat ural	

Ex. 5 Deliberative Process (DP)

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S u b p a r t	N a m e	C o n s i d e r a t i o n s
	G a s L i q u i d s	Ex. 5 Deliberative Process (DP)
O O.	S u p p l i e r s o f I n d u s t r i a l G H G s (e.g ., H F C, H F O, P F C, S F 6 s u p p l i e r s)	
P P.	S u p p l i e r s o f C a r b o n D i o x i d e	
Q Q	I m p o r t e r s a n d E x p o r t e r s	

Ex. 5 Deliberative Process (DP)

S u b p a r t	Na me	Considerations
-a-	of Flu orin ate d GH Gs Co ntai ned in Pre - Ch arg ed Equ ipm ent or Clo sed - Cell Foa ms	Ex. 5 Deliberative Process (DP)
R R	Ge olo gic Seq ues trati on of Car bon Dio xid e	

Ex. 5 Deliberative Process (DP)

S u b p a r t	Na me	Considerations
S S.	Ele ctri cal Equ ipm ent Ma nuf act ure or Ref urbi sh me nt	
T T.	Ind ustr ial Wa ste Lan dfill s	Ex. 5 Deliberative Process (DP)

S u b p a r t	Na me	Considerations
U U.	Inje ctio n of Car bon Dio xid e	
V V.	Ge olo gic Seq ues trati on of Car bon Dio xid e with Enh anc ed Oil Rec ove ry Usi	Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

S u b p a r t	N a m e	C o n s i d e r a t i o n s
	ng ISO 279 16	
W W .	Cok e Cal cin ers	
X X.	Cal ciu m Car bid e Pro duc tion	
Y Y.	Ca prol act am, Gly oxa l, and Gly oxyl ic Aci d Pro duc tion	
Z Z.	Cer ami cs Ma nuf act urin g	

Appendix B: Crosswalk of State reporting requirements with GHGRP

State required uses of GHGRP

1. **California's** Code of Regulations 95100-95157 under AB32 (mandatory GHG reporting) incorporates by reference sections of 40 CFR Part 98 to provide standardized greenhouse gas calculation methodologies for some required sources and reduce burden to industry.
2. **Colorado's** Regulation 22 requires reporting under all Part 98 sources.
3. **Washington** State Administrative Code 173-441-030 requires GHG reports from Part 98 source categories (all pre-2025 except QQ) for facilities emitting 10,000 mtCO₂e or more.
4. **Oregon's** GHG Reporting Program under Regulation 340-215 incorporates 40 CFR 98 by reference and requires all Title V permit holder over 2,500 mtCO₂e to report to Part 98 GHG data.
5. In **New Mexico**, Title V facilities over the Part 98 threshold submit their GHGRP reports to satisfy compliance with GHG emissions reporting requirements under 20.2.73 NMAC.

State use of GHGRP data to develop State Inventories

1. **West Virginia's** DEP uses GHGRP data rather than requiring sources to report to the State for Emissions Inventory purposes
2. Under **Iowa** Code 455B.104, Iowa's DNR incorporates GHGRP data into their annual GHG Inventory Report to the Governor and General Assembly
3. **Vermont** has a statutory requirement to publish an annual GHG inventory until 2028 (10 V.S.A. § 582). Vermont's Department of Environmental Conservation uses GHGRP data for industrial sectors, such as semiconductor manufacturing.
4. **New York** has a statutory requirement to publish an annual report on statewide greenhouse gas emissions, pursuant to Section 75-0105 of the Environmental Conservation Law. GHGRP data are used in developing and updating methodologies, but also annual GHGRP data are used in the reports, such as for aluminum, ferroalloy, iron and steel, lead, cement, semiconductor and other industries.

State use of GHGRP to Inform Reporting or Inventories

1. **Minnesota's** Pollution Control Agency requires GHG emissions reporting for Title V permit holders and Option D registrants, using Part 98 data to verify state submissions.
2. Under **Maryland's** Md. Environment Code Ann. § 2-1203, Department of the Environment is required to publish a statewide GHG emissions inventory every three years beginning in 2011. GHGRP is used as a means of cross-checking some sources of emissions.
3. **Massachusetts's** regulations "require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance", as was established by 310 CMR 7.71. Facilities are required to report if they are regulated under Title V of the federal Clean Air Act and Appendix C of 310 CMR 7.00: Air Pollution Control, or that emit more than 5,000 tons per year of Carbon Dioxide Equivalent (CO₂e). EPA GHGRP data supports cross-checking and verification.