

## LEGAL DISCLAIMER & USER'S NOTICE

*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

*This unofficial electronic compilation is provided by the California Air Resources Board (ARB) solely for the reader's convenience.*

*ARB's Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (title 17, California Code of Regulations (CCR), sections 95100-95157) incorporated by reference certain requirements promulgated by the United States Environmental Protection Agency (U.S. EPA) in its Final Rule on Mandatory Reporting of Greenhouse Gases (Title 40, Code of Federal Regulations (CFR), Part 98). Specifically, section 95100(c) of ARB's regulation incorporated those requirements promulgated by U.S. EPA as published in the Federal Register on October 30, 2009, July 12, 2010, September 22, 2010, October 28, 2010, November 30, 2010, December 17, 2010, and April 25, 2011.*

*This compilation combines the various incorporated Federal Register versions into one document for the reader's convenience; however, this compilation is not an official edition of either the CFR or the CCR. While reasonable steps have been taken to make this unofficial compilation accurate, the officially published requirements, found within the incorporated Federal Register notices with the dates listed above, take precedence if there are any discrepancies.*

### Official Legal Versions

*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.*

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**40 CFR Part 98  
Subpart D**

**Mandatory Reporting of Greenhouse Gases**

**PART 98—MANDATORY GREENHOUSE GAS REPORTING**

**Subpart D—Electricity Generation**

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**§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 CO<sub>2</sub> 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 CO<sub>2</sub> emissions year-round according to 40 CFR part 75, you must report under this subpart the annual mass emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> 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 CO<sub>2</sub> 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 CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O 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 CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O by following the requirements of subpart C of this part.

**§98.43 Calculating GHG emissions.**

Continue to monitor and report CO<sub>2</sub> mass emissions as required under §75.13 or section 2.3 of appendix G to 40 CFR part 75, and §75.64. Calculate CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O emissions as follows:

(a) Except as provided in paragraph (b) of this section, continue to monitor and report CO<sub>2</sub> mass emissions as required under §75.13 or section 2.3 of appendix G to 40 CFR part 75, and §75.64.

Calculate CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O emissions as follows:

(1) Convert the cumulative annual CO<sub>2</sub> 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 CH<sub>4</sub> and N<sub>2</sub>O mass emissions under this subpart by following the applicable method specified in §98.33(c).

(b) Calculate and report biogenic CO<sub>2</sub> emissions under this subpart by following the applicable methods specified in §98.33(e). The CO<sub>2</sub> emissions (excluding biogenic CO<sub>2</sub>) 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 CO<sub>2</sub> mass emissions calculated according to §98.33(e) from the cumulative annual CO<sub>2</sub> mass emissions from paragraph (a)(1) of this section. Separate calculation and reporting of biogenic CO<sub>2</sub> 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 CO<sub>2</sub> 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 CO<sub>2</sub> 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.