

**Subpart D of 40 CFR 98, As Modified by Proposed 20.2.300 NMAC –
Reporting of Greenhouse Gas Emissions**

plain text = unchanged EPA rule language

underline = added by 20.2.300 NMAC (proposed July 30, 2010, with modifications in Notice of Intent)

~~strikeout~~ = deleted by 20.2.300 NMAC (proposed July 30, 2010, with modifications in Notice of Intent)

Note: This version of 40 CFR 98 Subpart D includes amendments published on July 12, 2010 (75 FR 39736) and September 22, 2010 (75 FR 57669), and Technical Corrections signed by the EPA Administrator on October 7, 2010. These EPA amendments are incorporated as plain text, not underline/strikeout.

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 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.

1 (b) For each electricity generating unit that is not subject to the Acid Rain Program or
2 otherwise required to monitor and report to EPA CO₂ emissions year-round according to 40
3 CFR part 75, you must report under subpart C of this part (General Stationary Fuel
4 Combustion Sources) the emissions of CO₂, CH₄, and N₂O by following the requirements of
5 subpart C.

6 (c) For each stationary fuel combustion unit that does not generate electricity, you must
7 report under subpart C of this part (General Stationary Fuel Combustion Sources) the
8 emissions of CO₂, CH₄, and N₂O by following the requirements of subpart C of this part.

9 **§98.43 Calculating GHG emissions.**

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

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

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

18 **§98.44 Monitoring and QA/QC requirements.**

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

21 **§98.45 Procedures for estimating missing data.**

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

24 **§98.46 Data reporting requirements.**

25 The annual report shall comply with the data reporting requirements specified in §98.36(~~bd~~)¹
26 and, if applicable, §98.36(c)(2) or (c)(3).

27 **§98.47 Records that must be retained.**

28 You shall comply with the recordkeeping requirements of §§98.3(g) and 98.37.

29 **§98.48 Definitions.**

¹ This corrects an error in 40 CFR 98 that EPA has said they will be correcting.

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