



U.S. Federal Mandatory Greenhouse Gas Emissions Reporting Audit Protocol

RELEASE 124 – MARCH 2021

new & noteworthy

- **EPA Increases Maximum Civil Penalties to Keep Up with Inflation:** The U.S. Environmental Protection Agency (EPA) has issued its annual inflation adjustment to maximum noncompliance penalties under the mandatory greenhouse gas (GHG) reporting regulations, which may be as high as \$102,638 per day, effective December 23, 2020. (See the **Regulatory Summary** in the Introduction; see also, the introductory notes for **Rulebook A** of this protocol.)
- **EPA Defers Manure Management Provisions:** EPA continues to defer implementation of provisions in subpart JJ relating to Manure Management, at least through October 1, 2021.

highlights of this release

- **Introduction:**
 - The Regulatory Summary has been updated with EPA changes.
- **Part A Rulebook, Entities Subject to Mandatory Greenhouse Gas Reporting:**
 - The introductory notes to this rulebook have been updated with EPA changes.
- **Part C Rulebook, Additional Requirements Applicable to Facilities in Specific Sectors:**
 - The discussion of part JJ (Manure Management) has been updated to reflect that EPA's Fiscal Year (FY) 2021 budget continues to prevent implementation of these requirements until at least October 1, 2021.

did you know?

- **United States Aligns with Kigali Amendment:** The American Innovation and Manufacturing Act of 2020 (included in the Consolidated Appropriations Act of 2021) aligns the United States with the 2016 Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer. EPA is to oversee phase-downs of production and consumption of specified hydrochlorofluorocarbons (HFCs), consistent with directives included in the Kigali Amendment. EPA has commenced that process, beginning with use of data submitted by suppliers of industrial GHGs in compliance with subpart OO of part 98, which is discussed in Question 4 of **Rulebook D**.

release notes

please review

- **District of Columbia Energy Requirements:** In January 2021, the Federal Court of Appeals for the District of Columbia Circuit struck down the Affordable Clean Energy Rule (adopted in 2019), which had been intended to replace the Clean Power Plan (adopted in 2015) to regulate GHG emissions from electric power plants. EPA will commence a new rulemaking, which may include requirements to be incorporated into part 98, such as those applicable to subpart D of part 98 (Electricity Generation), which is discussed in Question 2 of **Rulebook C**.
- **2019 EPA Data Available:** EPA has published data provided in calendar year 2019 reports; these can also be accessed online at <https://www.epa.gov/ghgreporting/ghg-reporting-program-data-sets>.



related STP products

- **Environmental Auditing: Federal Air Quality MACT Standards for Hazardous Waste Combustors** provides audit checklists for the air quality management rules in 40 CFR Part 63, specific to Subpart EEE, covering hazardous waste incinerators, cement kilns, lightweight aggregate kilns, solid fuel boilers, liquid fuel boilers and hydrochloric acid production furnaces. Available formats: online and via risk management systems.

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