



24 June 2022

(22-4892)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Environmental Protection Agency (EPA) [1910] Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Greenhouse Gas Reporting Rule; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040)
5. Title, number of pages and language(s) of the notified document: Revisions and Confidentiality Determinations for Data Elements Under the Greenhouse Gas Reporting Rule; (200 page(s), in English)
6. Description of content: Proposed rule - The Environmental Protection Agency (EPA) is proposing to amend specific provisions in the Greenhouse Gas Reporting Rule to improve the quality and consistency of the data collected under the rule, streamline and improve implementation, and clarify or propose minor updates to certain provisions that have been the subject of questions from reporting entities. These proposed changes include revisions to improve the existing calculation, recordkeeping, and reporting requirements by incorporating updates to existing emissions estimation methodologies and providing for collection of additional data to understand new source categories or new emission sources for specific sectors. The proposed changes would improve understanding of the sector-specific processes or other factors that influence greenhouse gas emissions rates, improve verification of collected data, and complement or inform other EPA programs. The EPA is also proposing revisions that would improve implementation of the Greenhouse Gas Reporting Rule such as updates to applicability estimation methodologies, providing flexibility for or simplifying calculation and monitoring methodologies, streamlining recordkeeping and reporting, and other minor technical corrections or clarifications. This action also proposes to establish and amend confidentiality determinations for the reporting of certain data elements to be added or substantially revised in these proposed amendments. Further, this action includes a request for comment to solicit information that may aid in potential future revisions to the Greenhouse Gas Reporting Rule (GHGRP).
7. Objective and rationale, including the nature of urgent problems where applicable: Protection of the environment

8. Relevant documents:

87 Federal Register (FR) 36920, 22 June 2022; Title 40 Code of Federal Regulations (CFR) Parts 9 and 98:

<https://www.govinfo.gov/content/pkg/FR-2022-06-21/html/2022-09660.htm>

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This proposed rule is identified by Docket Number EPA-HQ-OAR-2019-0424. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2019-0424/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](https://www.regulations.gov) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#) by or before [4pm Eastern Time](#) on 22 August 2022. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [Docket](#) on Regulations.gov if received within the comment period.

Mandatory Reporting of Greenhouse Gases; [Proposed Rule published 10 April 2009](#) and [Final Rule published 30 October 2009](#) identified by Docket Number [EPA-HQ-OAR-2008-0508](#).

EPA has finalized several technical and clarifying amendments to the Greenhouse Gas Reporting Rule, as follows: [75 FR 79092](#), 17 December 2010; [76 FR 22825](#), 25 April 2011; [76 FR 36339](#), 22 June 2011; [76 FR 59533](#), 27 September 2011; [76 FR 59542](#), 27 September 2011; [76 FR 73866](#), 29 November 2011; [76 FR 80554](#), 23 December 2011; [77 FR 10373](#), 22 February 2012; [77 FR 48072](#), 13 August 2012; [77 FR 51477](#), 24 August 2012; [78 FR 25392](#), 1 May 2013; [78 FR 68162](#), 13 November 2013; [78 FR 71904](#), 29 November 2013; [79 FR 63750](#), 24 October 2014; [79 FR 70352](#), 25 November 2014; [79 FR 73750](#), 11 December 2014; [80 FR 64262](#), 22 October 2015; and [81 FR 86490](#), 30 November 2016. The amendments generally added or revised requirements and included revisions that were intended to improve clarity and consistency across the calculation, monitoring, and data reporting requirements. The EPA finalized additional amendments ([81 FR 89188](#), 6 December 2016) to streamline implementation of the rule, to improve the quality and consistency of the data collected under the rule, and to clarify or provide updates to certain provisions that have been the subject of questions from reporting entities. The EPA is proposing additional amendments and requesting comment in a continuation of the effort to improve the GHGRP.

9. Proposed date of adoption: To be determined

Proposed date of entry into force: To be determined

10. Final date for comments: 22 August 2022**11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

https://members.wto.org/crnattachments/2022/TBT/USA/22_4266_00_e.pdf