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Title 40 —Protection of Environment
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Subpart LL Suppliers of Coal-based Liquid Fuels

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Subpart LL—Suppliers of Coal-based Liquid Fuels

§ 98.380 Definition of the source category.

This source category consists of producers, importers, and exporters of products listed in Table MM-1 of subpart MM that are coal-based (coal-to-liquid products).

- (a) A producer is the owner or operator of a coal-to-liquids facility. A coal-to-liquids facility is any facility engaged in converting coal into liquid products using a process involving conversion of coal into gas and then into liquids (e.g., Fischer-Tropsch) or conversion of coal directly into liquids (i.e., direct liquefaction).
- (b) An importer or exporter shall have the same meaning given in § 98.6.

§ 98.381 Reporting threshold.

Any supplier of coal-to-liquid products who meets the requirements of § 98.2(a)(4) must report GHG emissions.

§ 98.382 GHGs to report.

Suppliers of coal-based liquid fuels must report the CO₂ emissions that would result from the complete combustion or oxidation of fossil-fuel products (besides coal or crude oil) produced, used as feedstock, imported, or exported during the calendar year. Additionally, producers must report CO₂ emissions that would result from the complete combustion or oxidation of any biomass co-processed with fossil fuel-based feedstocks.

[81 FR 89267, Dec. 9, 2016]

§ 98.383 Calculating GHG emissions.

Suppliers of coal-based liquid fuels must follow the calculation methods of § 98.393 as if they applied to the appropriate coal-to-liquid product supplier (i.e., calculation methods for refiners apply to producers of coal-to-liquid products and calculation methods for importers and exporters of petroleum products apply to importers and exporters of coal-to-liquid products).

- (a) In calculation methods in § 98.393 for petroleum products or petroleum-based products, suppliers of coal-to-liquid products shall also include coal-to-liquid products.
- (b) In calculation methods in § 98.393 for non-crude feedstocks or non-crude petroleum feedstocks, producers of coal-to-liquid products shall also include coal-to-liquid products that enter the facility to be further processed or otherwise used on site.
- (c) In calculation methods in § 98.393 for petroleum feedstocks, suppliers of coal-to-liquid products shall also include coal and coal-to-liquid products that enter the facility to be further processed or otherwise used on site.

[81 FR 89267, Dec. 9, 2016]

§ 98.384 Monitoring and QA/QC requirements.

Suppliers of coal-based liquid fuels must follow the monitoring and QA/QC requirements in § 98.394 as if they applied to the appropriate coal-to-liquid product supplier. Any monitoring and QA/QC requirement for petroleum products in § 98.394 also applies to coal-to-liquid products.

[81 FR 89267, Dec. 9, 2016]

§ 98.385 Procedures for estimating missing data.

Suppliers of coal-based liquid fuels must follow the procedures for estimating missing data in § 98.395 as if they applied to the appropriate coal-to-liquid product supplier. Any procedure for estimating missing data for petroleum products in § 98.395 also applies to coal-to-liquid products.

[81 FR 89267, Dec. 9, 2016]

§ 98.386 Data reporting requirements.

In addition to the information required by § 98.3(c), the following requirements apply:

- (a) Producers shall report the following information for each coal-to-liquid facility:
 - (1) [Reserved]
 - (2) For each product listed in Table MM-1 of subpart MM of this part that enters the coal-to-liquid facility to be further processed or otherwise used on site, report the total annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product.

- (3) For each feedstock reported in paragraph (a)(2) of this section that was produced by blending a fossil fuel-based product with a biomass-based product, report the percent of the volume reported in paragraph (a)(2) of this section that is fossil fuel-based (excluding any denaturant that may be present in any ethanol product).
- (4)-(5) [Reserved]
- (6) For each product (leaving the coal-to-liquid facility) listed in Table MM-1 of subpart MM of this part, report the total annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product. Those products that enter the facility, but are not reported in (a)(2), shall not be reported under this paragraph.
- (7) For each product reported in paragraph (a)(6) of this section that was produced by blending a fossil fuel-based product with a biomass-based product, report the percent of the volume reported in paragraph (a)(6) of this section that is fossil fuel-based (excluding any denaturant that may be present in any ethanol product).
- (8) [Reserved]
- (9) For every feedstock reported in paragraph (a)(2) of this section for which Calculation Method 2 in § 98.393(f)(2) was used to determine an emissions factor, report:
 - (i) The number of samples collected according to § 98.394(c).
 - (ii) The sampling standard method used.
 - (iii) The carbon share test results in percent mass.
 - (iv) The standard method used to test carbon share.
 - (v) The calculated CO₂ emissions factor in metric tons CO₂ per barrel or per metric ton of product.
- (10) For every non-solid feedstock reported in paragraph (a)(2) of this section for which Calculation Method 2 in § 98.393(f)(2) was used to determine an emissions factor, report:
 - (i) The density test results in metric tons per barrel.
 - (ii) The standard method used to test density.
- (11) For every product reported in paragraph (a)(6) of this section for which Calculation Method 2 in § 98.393(f)(2) was used to determine an emissions factor, report:
 - (i) The number of samples collected according to § 98.394(c).
 - (ii) The sampling standard method used.
 - (iii) The carbon share test results in percent mass.
 - (iv) The standard method used to test carbon share.
 - (v) The calculated CO₂ emissions factor in metric tons CO₂ per barrel or metric ton of product.
- (12) For every non-solid product reported in paragraph (a)(6) of this section for which Calculation Method 2 of subpart MM of this part was used to determine an emissions factor, report:
 - (i) The density test results in metric tons per barrel.
 - (ii) The standard method used to test density.

- (13) [Reserved]
 - (14) For each specific type of biomass that enters the coal-to-liquid facility to be co-processed with fossil fuel-based feedstock to produce a product reported in paragraph (a)(6) of this section, report the annual quantity in metric tons or barrels.
 - (15) [Reserved]
 - (16) The CO₂ emissions in metric tons that would result from the complete combustion or oxidation of each feedstock reported in paragraph (a)(2) of this section that were calculated according to § 98.393(b) or (h).
 - (17) The CO₂ emissions in metric tons that would result from the complete combustion or oxidation of each product (leaving the coal-to-liquid facility) reported in paragraph (a)(6) of this section that were calculated according to § 98.393(a) or (h).
 - (18) Annual CO₂ emissions in metric tons that would result from the complete combustion or oxidation of each type of biomass feedstock co-processed with fossil fuel-based feedstocks reported in paragraph (a)(14) of this section, calculated according to § 98.393(c).
 - (19) Annual CO₂ emissions that would result from the complete combustion or oxidation of all products, calculated according to § 98.393(d).
 - (20) Annual quantity of bulk NGLs in metric tons or barrels received for processing during the reporting year. Report only quantities of bulk NGLs not reported in paragraph (a)(2) of this section.
- (b) In addition to the information required by § 98.3(c), each importer shall report all of the following information at the corporate level:
- (1) [Reserved]
 - (2) For each product listed in Table MM-1 of subpart MM of this part, report the total annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product as listed in Table MM-1 of subpart MM of this part.
 - (3) For each product reported in paragraph (b)(2) of this section that was produced by blending a fossil fuel-based product with a biomass-based product, report the percent of the volume reported in paragraph (b)(2) of this section that is fossil fuel-based (excluding any denaturant that may be present in any ethanol product).
 - (4) [Reserved]
 - (5) For each product reported in paragraph (b)(2) of this section for which Calculation Method 2 in § 98.393(f)(2) used was used to determine an emissions factor, report:
 - (i) The number of samples collected according to § 98.394(c)
 - (ii) The sampling standard method used.
 - (iii) The carbon share test results in percent mass.
 - (iv) The standard method used to test carbon share.
 - (v) The calculated CO₂ emissions factor in metric tons per barrel or per metric ton of product.
 - (6) For each non-solid product reported in paragraph (b)(2) of this section for which Calculation Method 2 in § 98.393(f)(2) was used to determine an emissions factor, report:

- (i) The density test results in metric tons per barrel.
 - (ii) The standard method used to test density.
- (7) The CO₂ emissions in metric tons that would result from the complete combustion or oxidation of each imported product reported in paragraph (b)(2) of this section, calculated according to § 98.393(a).
- (8) The total sum of CO₂ emissions that would result from the complete combustion or oxidation of all imported products, calculated according to § 98.393(e).
- (c) In addition to the information required by § 98.3(c), each exporter shall report all of the following information at the corporate level:
 - (1) [Reserved]
 - (2) For each product listed in table MM-1 of subpart MM of this part, report the total annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product.
 - (3) For each product reported in paragraph (c)(2) of this section that was produced by blending a fossil fuel-based product with a biomass-based product, report the percent of the volume reported in paragraph (c)(2) of this section that is fossil fuel-based (excluding any denaturant that may be present in any ethanol product).
 - (4) [Reserved]
 - (5) For each product reported in paragraph (c)(2) of this section for which Calculation Method 2 in § 98.393(f)(2) was used to determine an emissions factor, report:
 - (i) The number of samples collected according to § 98.394(c).
 - (ii) The sampling standard method used.
 - (iii) The carbon share test results in percent mass.
 - (iv) The standard method used to test carbon share.
 - (v) The calculated CO₂ emissions factor in metric tons CO₂ per barrel or per metric ton of product.
 - (6) For each non-solid product reported in paragraph (c)(2) of this section for which Calculation Method 2 in § 98.393(f)(2) used was used to determine an emissions factor, report:
 - (i) The density test results in metric tons per barrel.
 - (ii) The standard method used to test density.
 - (7) The CO₂ emissions in metric tons that would result from the complete combustion or oxidation of each exported product reported in paragraph (c)(2) of this section, calculated according to § 98.393(a).
 - (8) Total sum of CO₂ emissions that would result from the complete combustion or oxidation of all exported products, calculated according to § 98.393(e).
- (d) **Blended feedstock and products.**
 - (1) Producers, exporters, and importers must report the following information for each blended product and feedstock where emissions were calculated according to § 98.393(i):

- (i) Volume or mass of each blending component.
 - (ii) The CO₂ emissions in metric tons that would result from the complete combustion or oxidation of each blended feedstock or product, using Equation MM-12 or Equation MM-13 of § 98.393.
 - (iii) Whether it is a blended feedstock or a blended product.
- (2) For a product that enters the facility to be further refined or otherwise used on site that is a blended feedstock, producers must meet the reporting requirements of paragraph (a)(2) of this section by reflecting the individual components of the blended feedstock.
- (3) For a product that is produced, imported, or exported that is a blended product, producers, importers, and exporters must meet the reporting requirements of paragraphs (a)(6), (b)(2), and (c)(2) of this section, as applicable, by reflecting the individual components of the blended product.

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 66475, Oct. 28, 2010; 78 FR 71972, Nov. 29, 2013; 81 FR 89267, Dec. 9, 2016]

§ 98.387 Records that must be retained.

Suppliers of coal-based liquid fuels must retain records according to the requirements in § 98.397 as if they applied to the appropriate coal-to-liquid product supplier (e.g., retaining copies of all reports submitted to EPA under § 98.386 and records to support information contained in those reports). Any records for petroleum products that are required to be retained in § 98.397 are also required for coal-to-liquid products.

[81 FR 89268, Dec. 9, 2016]

§ 98.388 Definitions.

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