

118TH CONGRESS
2D SESSION

H. R. 9319

To direct the Administrator of the Environmental Protection Agency to conduct a study, and publish guidance on, calculating and reporting scope 3 emissions.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 2024

Mr. SCHIFF (for himself, Mr. NADLER, Mr. HUFFMAN, Ms. NORTON, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To direct the Administrator of the Environmental Protection Agency to conduct a study, and publish guidance on, calculating and reporting scope 3 emissions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Standardized Calcula-
5 tion of Operational Polluting Emissions Act” or the
6 “SCOPE Act”.

7 **SEC. 2. STUDY AND GUIDANCE ON SCOPE 3 EMISSIONS.**

8 (a) IN GENERAL.—Not later than 12 months after
9 the date of enactment of this Act, the Administrator of

1 the Environmental Protection Agency shall conduct a
2 study, and publish guidance, on calculating and reporting,
3 for direct emitters, scope 3 emissions above thresholds the
4 Administrator determines appropriate.

5 (b) INCLUSIONS.—The guidance published under
6 subsection (a) shall include—

7 (1) thresholds of scope 3 emissions above which
8 reporting to the Environmental Protection Agency is
9 recommended;

10 (2) calculation methodologies for scope 3 emis-
11 sions based on source categories;

12 (3) recommendations on frequency of moni-
13 toring scope 3 emissions;

14 (4) quality assurance and control guidance for
15 scope 3 emissions data;

16 (5) methodologies for estimating missing scope
17 3 emissions data; and

18 (6) guidance for record keeping for scope 3
19 emissions data and reporting of such data.

20 (c) DEFINITIONS.—In this section:

21 (1) DIRECT EMITTER.—The term “direct emit-
22 ter” means—

23 (A) a facility—

24 (i) that is in one of the source cat-
25 egories defined in subpart C through sub-

part JJ of part 98 of title 40, Code of Federal Regulations (or successor regulations); and

(ii) with respect to which the greenhouse gas reporting requirements and related monitoring, recordkeeping, and reporting requirements of such part 98, apply; or

(B) any other facility the Administrator of the Environmental Protection Agency determines appropriate.

(2) GREENHOUSE GAS.—The term “greenhouse gas” means the air pollutants (as defined in section 302(g) of the Clean Air Act (42 U.S.C. 7602(g)) carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(3) SCOPE 3 EMISSIONS.—The term “scope 3 emissions” means indirect greenhouse gas emissions resulting from upstream and downstream value chain activities, as determined by the Administrator of the Environmental Protection Agency.

(d) CONGRESSIONAL INTENT.—Nothing in this section may be construed to affect the authority of the President, any Federal agency, or any State under existing law.

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