

# THE NATIONAL LAW REVIEW

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## National Registry for Greenhouse Gases and Compound Emissions

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Mexico's General Climate Change Law (*Ley General de Cambio Climático*) published in the Federal Official Gazette (*Diario Oficial de la Federación "DOF"*) on June 6, 2012, and the Regulations to the General Climate Change Law of the National Emissions Registry (*Ley General de Cambio Climático en Materia del Registro Nacional de Emisiones*) published in the DOF on October 28, 2014, set forth the creation of several public policy instruments, which include the National Emissions Registry (the Registry).

### Purpose of the Registry

The Registry compiles the required information on greenhouse gas and compound emissions with respect to the energy, transport, industrial, agricultural and livestock, waste, commerce and service sectors, which must submit mandatory reports (the Report) on direct and indirect emissions produced from their facilities, either from fixed or mobile sources, whenever they exceed 25,000 tons of carbon dioxide equivalent.

### Fixed and Mobile Sources

Fixed sources of emission are those with a permanent physical location at a specific site that, in the operation or performance of the relevant activity, produces greenhouse gases or compounds.

Mobile sources include the machinery or equipment that does not have a permanent physical location, but generates greenhouse gases or compounds from the operation of internal combustion engines.

### Direct and Indirect Emissions

Direct emissions are those generated from the processes and activities performed in the above mentioned sectors, released from fixed or mobile sources that are owned or leased by the company. On the other hand, indirect emissions are those generated outside the facilities where the activities are performed, as a result of electric and thermal energy consumption.

### Filing the Report

The Report must be filed before the Registry through the Annual Operation Certificate (*Cédula de Operación Annual*). It acts as a data gathering instrument for pollutants' emission and transference of contaminants to the air, water, soil and subsoil, hazardous materials and waste, and helps keep Registry data current.

Every year, between March 1 and June 30, the direct and indirect emissions generated during the prior calendar year must be reported before the Registry - or, from the date of the start of activities until December 31, if the company was created that year.

### Entities Required to File the Report (Energy and Waste)

In the energy and waste sector, all entities performing the following activities are required to issue the Report, provided, as mentioned above, that the direct and indirect emissions of their fixed and/or mobile facilities exceed 25,000 tons of CO<sub>2</sub> equivalent:



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## **Gases or Compounds to be Reported**

Greenhouse gases or compounds must be reported, in addition to those included in the “Resolution whereby greenhouse gases or compounds are grouped for purposes of emission reporting, and their warming potential” (*Acuerdo que establece los gases o compuestos de efecto invernadero que se agrupan para efectos de reporte de emisiones, así como sus potenciales de calentamiento*), published in the DOF on August 14, 2015. These include:

### **Other Obligations**

The entities required to file the Report must keep the information, data, and documents on their emissions for a five-year term following the date on which the Ministry of the Environment and Natural Resources (*Secretaría de Medio Ambiente y Recursos Naturales, SEMARNAT*) receives the relevant Annual Operation Certificate.

Furthermore, every three years a verification opinion issued by an organization authorized by the SEMARNAT must be attached to the Report. It must validate that the Reports have the consistency, comprehensiveness, transparency, and precision required by the Regulations’ provisions. Such opinion must be filed during the period from July 1 to November 30 of the year for which the information is being validated.

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