

# Q823. Who is eligible to discontinue complying with the GHGRP using the "offramp"?

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**A823.** 40 CFR Part 98.2(i) in the General Provisions, outlines the criteria for facilities to take the "offramp" to exit the program. A facility that has reported total non-biogenic GHG emissions below 15,000 metric tons of carbon dioxide equivalent (mtCO<sub>2</sub>e) for three consecutive years or below 25,000 mtCO<sub>2</sub>e for five consecutive years can discontinue reporting for all direct emitter subparts.

For supplier subparts (subparts LL – QQ), the criteria apply instead toward reported amounts of GHGs supplied.

Regardless of whether the facility is an emitter, supplier or both, the owner or operator must notify EPA of the intent to discontinue reporting by March 31<sup>st</sup> of the year immediately following the third or fifth year, whichever applies, through e-GGRT. These criteria apply to all subparts equally, including to subparts with no threshold (the "all-in" subparts) and to subparts with applicability thresholds that are different than 25,000 mtCO<sub>2</sub>e<sup>1</sup>.

For all facilities eligible to stop reporting (either completely or partially) notify EPA by logging onto e-GGRT, clicking the Reporting Tab, selecting the year during which the report will not be submitted, and selecting your facility. You will be presented with the Facility Overview page. On the Facility Overview page, click the link to "Notify EPA that this facility will not submit a Reporting Year 20XX annual report". You will be presented with the Notification to Discontinue page. Select the appropriate option.

**Direct Emitter example:** An electricity generation facility covered only by subpart D that reports less than 15,000 mtCO<sub>2</sub>e in total non-biogenic emissions every year is eligible to discontinue complying with the GHGRP after submitting three consecutive annual reports demonstrating the emissions.

**Supplier example:** For suppliers, these off-ramp provisions apply individually to each importer, exporter and producer of carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), or fluorinated greenhouse gases (e.g., HFCs), petroleum refinery, fractionator of natural gas liquids, local natural gas distribution company, or a producer of coal-based liquid fuels. A facility importing GHGs covered only by subpart OO – Suppliers of Industrial GHGs that reports supply of less than 25,000 mtCO<sub>2</sub>e every year is eligible to discontinue complying with the GHGRP after submitting five consecutive annual reports demonstrating the quantity supplied.

**Example for a facility that is both a direct emitter and supplier:** The off-ramp requirements for suppliers are applied separately from those for direct emitters for facilities that are both suppliers and direct emitters. This occurs whether the supplier and direct emitter report as two separate entities in e-GGRT or, for simplicity, as one entity in e-GGRT. For example, if a facility reports under subpart Y - Petroleum Refineries (a direct emitter subpart) and subpart MM - Suppliers of Petroleum Products (a supplier subpart), and the facility meets the off-ramp requirements in 40 CFR 98.2(i)(4) for the GHG quantities reported under subpart MM but does not meet the off-ramp requirements in 40 CFR 98.2(i)(1) or (2) for GHG emissions under subpart Y, then the facility may cease reporting under subpart MM while still reporting under subpart Y (or vice versa). Similar situations may arise for facilities subject to Subpart NN – Suppliers of Natural Gas and Natural Gas Liquids and Subpart W – Petroleum and Natural Gas Systems, Subpart OO and Subpart L – Fluorinated GHG Production, and facilities that capture CO<sub>2</sub> and report under Subpart PP. Other cases are also possible.

If the subpart MM and subpart Y data were submitted in two different annual reports under two different e-GGRT identification numbers, the facility would discontinue submitting reports all together for the facility reporting under subpart MM while continuing to submit reports for the facility reporting under subpart Y. If the subpart MM and subpart Y data were submitted in one annual report under one e-GGRT identification number, the facility would continue to submit reports under that e-GGRT identification number with the subpart Y data and without the subpart MM data.

If this situation applies to you, you must notify EPA of your intent to discontinue reporting *just* direct emissions or *just* supplier operations through e-GGRT.

<sup>1</sup> Subparts with applicability thresholds that are different than 25,000 mtCO<sub>2</sub>e include subparts HH – Municipal Solid Waste Landfills, DD – Sulfur Hexafluoride from Use of Electrical Equipment, FF – Underground Coal Mines, and I – Electronics Manufacturing.