# 40 C.F.R. § 80.1435

## How are RIN holdings and RIN holding thresholds calculated?

Beginning January 1, 2020, any party that holds RINs must comply with the requirements of this section.

(a) *RIN holdings calculation.* (1) Each party must calculate daily end-of-day separated D6 RIN holdings by aggregating its end-of-day separated D6 RIN holdings with the end-of-day separated D6 RIN holdings of all corporate affiliates in a corporate affiliate group and use the end-of-day separated D6 RIN holdings as specified in paragraph (b) of this section.

(2) Each party must calculate, as applicable, the holdings-to-market percentage under paragraph (b)(1) of this section and the holdings-to-obligation percentage under paragraph (b)(2) of this section quarterly in accordance with the schedule specified in Table 1 to § 80.1451.

(3) For a corporate affiliate group containing at least one obligated party that has a holdings-to-market percentage greater than 3.00 percent for any calendar day in a compliance period, as determined under paragraph (b)(1) of this section, each party must calculate the corporate affiliate group's holdings-to-obligation percentage as specified in paragraph (b)(2) of this section.

(4) Each party must individually keep copies of all calculations and supporting information for separated D6 RIN holding threshold calculations required under this section as specified in § 80.1454(p).

(b) *RIN holding thresholds calculations*—(1) *Primary test calculations.* For each day in a compliance period, each party that owns RINs must calculate the holdings-to-market percentage for their corporate affiliate group using the method specified in paragraph (b)(1)(i) or (b)(1)(ii) of this section, as applicable.

(i) For each day beginning January 1 through March 31, calculate the holdings-to-market percentage for a corporate affiliate group as follows:

$$HTMP_d = [(\Sigma D6RIN_d)_a / (CNV\_VOL_{TOT,i} * 1.25)] * 100$$

Where:

$HTMP_d$ = The holdings-to-market percentage is the percentage of separated D6 RINs a corporate affiliate group holds on calendar day d relative to the total expected number of separated D6 RINs in the market in compliance period i, in percent. d = A given calendar day. i = The compliance period, typically expressed as a calendar year. a = Individual corporate affiliate in a corporate affiliate group. $(\Sigma D6RIN_d)_a$ = Sum of the number of separated D6 RINs each individual corporate affiliate a holds at the end of calendar day d, in gallon-RINs. $CNV\_VOL_{TOT,i}$ = The total expected annual volume of conventional renewable fuels for the compliance period i, in gallons. Unless otherwise specified, this number is 15 billion gallons.

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