

oxygenate blender to be consistent with the oxygenate claimed by the refiner or importer and that this oxygenate was blended with the refiner's or importer's gasoline or blending stock.

[59 FR 7875, Feb. 16, 1994, as amended at 59 FR 36969, July 20, 1994; 59 FR 39292, Aug. 2, 1994; 62 FR 60136, Nov. 6, 1997; 67 FR 8738, Feb. 26, 2002]

EFFECTIVE DATE NOTE: At 59 FR 39292, Aug. 2, 1994, § 80.128 was amended by revising paragraphs (a) and (e)(2); removing "and" at the end of paragraph (e)(4); removing the period at the end of paragraph (e)(5) and adding "; and" in its place; and adding paragraph (e)(6) effective September 1, 1994. At 59 FR 60715, Nov. 28, 1994, the amendment was stayed effective September 13, 1994.

§ 80.129 Agreed upon procedures for downstream oxygenate blenders.

The following are the procedures to be carried out at each oxygenate blending facility that is subject to the requirements of this subpart F:

(a) Read the oxygenate blender's reports filed with the EPA for the previous year as required by §§ 80.75 and 80.83(g).

(b) Obtain a material balance analysis summarizing receipts of RBOB and oxygenate to the blender, and the deliveries of reformulated gasoline from the blender.

(1) Test the mathematical accuracy of the calculations contained in the analysis.

(2) Agree the beginning and ending inventory to the blender's perpetual inventory records.

(3) Agree the analysis, where applicable, to the EPA reports.

(c) Obtain a listing of all RBOB receipts for the previous year.

(1) Test the mathematical accuracy of the volumetric calculations contained in the listing.

(2) Agree the volumetric calculations of RBOB receipts to the calculations contained in the material balance analysis.

(3) Select a representative sample of RBOB receipts from the listing. Review the product transfer documents for the indication of the type and volume of oxygenate required to be added to the RBOB.

(d) Obtain a listing of all reformulated gasoline batches produced by the blender during the previous year.

(1) Test the mathematical accuracy of the volumetric calculations contained in the listing.

(2) Agree the volumetric calculations contained in the listing to the calculations contained in the material balance analysis.

(3) Select a representative sample of the batches from the listing, and for these batches:

(i) Obtain the blender's records that indicate the volume and type of oxygenate that was blended, the volume of RBOB that was blended and the product transfer documents for the RBOB, and the internal lab analysis where applicable;

(ii) Agree the consistency of the type and volume of oxygenate added to the RBOB with that indicated to be added in the RBOB's product transfer documents;

(iii) In the case of RBOB designated as "any renewable oxygenate," "non VOC controlled renewable ether only," or "renewable ether only," review the documentation from the producer of the oxygenate to determine if the oxygenate meets the requirements of § 80.83(a);

(iv) Recalculate the actual oxygen content based on the volumes blended and agree to the report to EPA on oxygen; and

(v) Review the time and place designations in the product transfer documents prepared for the batch by the blender, for consistency with the time and place designations in the product transfer documents for the RBOB (e.g. VOC-controlled or non-VOC-controlled, VOC region for VOC-controlled, and simple or complex model).

(e) Agree the sampling and testing frequency of the blender's quality assurance program with the sampling and testing rates required in § 80.69.

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