

## Environmental Protection Agency

## § 80.75

EFFECTIVE DATE NOTE: At 71 FR 31961, June 2, 2006, §80.74 was amended by adding paragraph (b)(10), effective Aug. 1, 2006. For the convenience of the user, the added text is set forth as follows:

### § 80.74 Recordkeeping requirements.

\* \* \* \* \*

(b)\* \* \*

(10) In the case of any interface or transmix used to produce reformulated gasoline or RBOB under §80.84, records that reflect the results of any sampling and testing of RFG or RBOB required under §80.84.

(i) Pipelines must keep records showing that interface was designated in the proper manner, according to the designations listed in §80.84(b)(1);

(ii) Transmix processors and transmix blenders must keep records showing that their transmix meets the definition in §80.84(a)(2), or contains gasoline and distillate fuel only from the sources listed in §80.84(e);

(iii) Transmix processors must keep records showing the volumes of reformulated gasoline or RBOB recovered from transmix and the type and amount of any blendstock added, if applicable; and

(iv) Transmix blenders must keep records showing compliance with the quality assurance program and/or sampling and testing requirements in §80.84(d)(2) or (d)(3), and for each batch of reformulated gasoline or RBOB with which transmix is blended, the volume of the batch, and the volume of transmix blended into the batch;

\* \* \* \* \*

### § 80.75 Reporting requirements.

Any refiner or importer shall report as specified in this section, and shall report such other information as the Administrator may require.

(a) *Quarterly reports for reformulated gasoline.* Any refiner or importer that produces or imports any reformulated gasoline or RBOB shall submit quarterly reports to the Administrator for each refinery at which such reformulated gasoline or RBOB was produced and for all such reformulated gasoline or RBOB imported by each importer.

(1) The quarterly reports shall be for all such reformulated gasoline or RBOB produced or imported during the following time periods:

(i) The first quarterly report shall include information for reformulated gasoline or RBOB produced or imported from January 1 through March 31, and

shall be submitted by May 31 of each year beginning in 1995;

(ii) The second quarterly report shall include information for reformulated gasoline or RBOB produced or imported from April 1 through June 30, and shall be submitted by August 31 of each year beginning in 1995;

(iii) The third quarterly report shall include information for reformulated gasoline or RBOB produced or imported from July 1 through September 30, and shall be submitted by November 30 of each year beginning in 1995; and

(iv) The fourth quarterly report shall include information for reformulated gasoline or RBOB produced or imported from October 1 through December 31, and shall be submitted by the last day of February of each year beginning in 1996.

(2) [Reserved]

(3) Information pertaining to gasoline produced or imported during 1994 shall be included in the first quarterly report in 1995.

(b) *Reports for gasoline or RBOB produced or imported under the simple model—(1) RVP averaging reports.* (i) Any refiner or importer that produced or imported any reformulated gasoline or RBOB under the simple model that was to meet RVP standards on average (“averaged reformulated gasoline”) shall submit to the Administrator, with the third quarterly report, a report for each refinery or importer for such averaged reformulated gasoline or RBOB produced or imported during the previous RVP averaging period. This information shall be reported separately for the following categories:

(A) Gasoline or RBOB which is designated as VOC-controlled intended for areas in VOC-Control Region 1; and

(B) Gasoline or RBOB which is designated as VOC-controlled intended for VOC-Control Region 2.

(ii) The following information shall be reported:

(A) The total volume of averaged reformulated gasoline or RBOB in gallons;

(B) The compliance total value for RVP; and

(C) The actual total value for RVP.

(2) *Sulfur, olefins and T90 averaging reports.* (i) Any refiner or importer that produced or imported any reformulated

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gasoline or RBOB under the simple model shall submit to the Administrator, with the fourth quarterly report, a report for such reformulated gasoline or RBOB produced or imported during the previous year:

- (A) For each refinery or importer; or
- (B) In the case of refiners who operate more than one refinery, for each grouping of refineries as designated by the refiner pursuant to § 80.41(h)(2)(iii).
  - (ii) The following information shall be reported:
    - (A) The total volume of reformulated gasoline or RBOB in gallons;
    - (B) The applicable sulfur content standard under § 80.41(h)(2)(i) in parts per million;
    - (C) The average sulfur content in parts per million;
    - (D) The difference between the applicable sulfur content standard under § 80.41(h)(2)(i) in parts per million and the average sulfur content under paragraph (b)(2)(ii)(C) of this section in parts per million, indicating whether the average is greater or lesser than the applicable standard;
    - (E) The applicable olefin content standard under § 80.41(h)(2)(i) in volume percent;
    - (F) The average olefin content in volume percent;
    - (G) The difference between the applicable olefin content standard under § 80.41(h)(2)(i) in volume percent and the average olefin content under paragraph (b)(2)(ii)(F) of this section in volume percent, indicating whether the average is greater or lesser than the applicable standard;
    - (H) The applicable T90 distillation point standard under § 80.41(h)(2)(i) in degrees Fahrenheit;
    - (I) The average T90 distillation point in degrees Fahrenheit; and
    - (J) The difference between the applicable T90 distillation point standard under § 80.41(h)(2)(i) in degrees Fahrenheit and the average T90 distillation point under paragraph (b)(2)(ii)(I) of this section in degrees Fahrenheit, indicating whether the average is greater or lesser than the applicable standard.
  - (c) *VOC emissions performance averaging reports.* (1) Any refiner or importer that produced or imported any reformulated gasoline or RBOB under the complex model that was to meet

the VOC emissions performance standards on average (“averaged reformulated gasoline”) shall submit to the Administrator, with the third quarterly report, a report for each refinery or importer for such averaged reformulated gasoline produced or imported during the previous VOC averaging period. This information shall be reported separately for the following categories:

- (i) Gasoline or RBOB which is designated as VOC-controlled intended for areas in VOC-Control Region 1; and
- (ii) Gasoline or RBOB which is designated as VOC-controlled intended for VOC-Control Region 2.
  - (2) The following information shall be reported:
    - (i) The total volume of averaged reformulated gasoline or RBOB in gallons;
    - (ii) The compliance total value for VOC emissions performance; and
    - (iii) The actual total value for VOC emissions performance.
  - (d) *Benzene content averaging reports.* (1) Any refiner or importer that produced or imported any reformulated gasoline or RBOB that was to meet the benzene content standards on average (“averaged reformulated gasoline”) shall submit to the Administrator, with the fourth quarterly report, a report for each refinery or importer for such averaged reformulated gasoline that was produced or imported during the previous toxics averaging period.
    - (2) The following information shall be reported:
      - (i) The volume of averaged reformulated gasoline or RBOB in gallons;
      - (ii) The compliance total content of benzene;
      - (iii) The actual total content of benzene;
      - (iv) The number of benzene credits generated as a result of actual total benzene being less than compliance total benzene;
      - (v) The number of benzene credits required as a result of actual total benzene being greater than compliance total benzene;
      - (vi) The number of benzene credits transferred to another refinery or importer; and

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(vii) The number of benzene credits obtained from another refinery or importer.

(e) *Toxics emissions performance averaging reports.* (1) Any refiner or importer that produced or imported any reformulated gasoline or RBOB that was to meet the toxics emissions performance standards on average (“averaged reformulated gasoline”) shall submit to the Administrator, with the fourth quarterly report, a report for each refinery or importer for such averaged reformulated gasoline that was produced or imported during the previous toxics averaging period.

(2) The following information shall be reported:

(i) The volume of averaged reformulated gasoline or RBOB in gallons;

(ii) The compliance value for toxics emissions performance; and

(iii) The actual value for toxics emissions performance.

(f) [Reserved]

(g) *NO<sub>x</sub> emissions performance averaging reports.* (1) Any refiner or importer that produced or imported any reformulated gasoline or RBOB that was to meet the NO<sub>x</sub> emissions performance standard on average (“averaged reformulated gasoline”) shall submit to the Administrator, with the fourth quarterly report, a report for each refinery or importer for such averaged reformulated gasoline that was produced or imported during the previous NO<sub>x</sub> averaging period.

(2) The following information shall be reported:

(i) The volume of averaged reformulated gasoline or RBOB in gallons;

(ii) The compliance value for NO<sub>x</sub> emissions performance; and

(iii) The actual value for NO<sub>x</sub> emissions performance.

(3) The information required by paragraph (g)(2) of this section shall be reported separately for the following categories:

(i) Gasoline and RBOB which is designated as VOC-controlled; and

(ii) Gasoline and RBOB which is not designated as VOC-controlled.

(h) *Credit transfer reports.* As an additional part of the fourth quarterly report required by this section, any refiner or importer shall, for each refinery or importer, supply the following

information for any benzene credits that are transferred from or to another refinery or importer:

(1) The names, EPA-assigned registration numbers and facility identification numbers of the transferor and transferee of the credits;

(2) The number(s) of credits that were transferred; and

(3) The date(s) of the transaction(s).

(i) *Covered areas of gasoline use report.* Any refiner that produced any reformulated gasoline that was to meet any reformulated gasoline standard on average (“averaged reformulated gasoline”) shall, for each refinery at which such averaged reformulated gasoline was produced submit to the Administrator, with the fourth quarterly report, a report that contains the identity of each covered area that was supplied with any averaged reformulated gasoline produced at each refinery during the previous year.

(j) *Additional reporting requirements for certain importers.* In the case of any importer to whom different standards apply for gasoline imported at different facilities by operation of § 80.41(q)(2), such importer shall submit separate reports for gasoline imported into facilities subject to different standards.

(k) *Reporting requirements for early use of the complex model.* Any refiner for any refinery, or any importer, that elects to be subject to complex model standards under § 80.41(i)(1) shall report such election in writing to the Administrator no later than sixty days prior to the beginning of the calendar year during which such standards would apply. This report shall include the refinery’s or importer’s baseline values for VOC, NO<sub>x</sub>, and toxics emissions performance, in milligrams per mile.

(l) *Reports for per-gallon compliance gasoline.* In the case of reformulated gasoline or RBOB for which compliance with each of the standards set forth in § 80.41 is achieved on a per-gallon basis, the refiner or importer shall submit to the Administrator, by the last day of February of each year beginning in 1996, a report of the volume of each designated reformulated gasoline or RBOB produced or imported during the previous calendar year for which compliance is achieved on a per-gallon basis, and a statement that each gallon of

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this reformulated gasoline or RBOB met the applicable standards.

(m) *Reports of compliance audits.* Any refiner or importer shall cause to be submitted to the Administrator, by May 31 of each year, the report of the compliance audit required by § 80.65(h).

(n) *Report submission.* The reports required by this section shall be:

(1) Submitted on forms and following procedures specified by the Administrator; and

(2) Signed and certified as correct by the owner or a responsible corporate officer of the refiner or importer.

(o) *Additional reporting requirements for refiners that blend butane with reformulated gasoline or RBOB.* For refiners that blend any butane with reformulated gasoline or RBOB under § 80.82, the refiner shall submit to the Administrator, by the last day of February of each year, a report for the refinery which includes the following information for the previous calendar year:

(1) The total volume of butane blended with reformulated gasoline or RBOB at the refinery, separately for reformulated gasoline and RBOB;

(2) The total volume of reformulated gasoline or RBOB produced using butane, separately for reformulated gasoline and RBOB;

(3) A statement that each gallon of reformulated gasoline or RBOB produced using butane met the applicable per-gallon standards under § 80.41;

(4) A statement that all butane blended with reformulated gasoline or RBOB at the refinery is included in the volume reported in paragraph (o)(2) of this section;

[59 FR 7813, Feb. 16, 1994, as amended at 59 FR 36964, July 20, 1994; 60 FR 65574, Dec. 20, 1995; 62 FR 60135, Nov. 6, 1997; 66 FR 67106, Dec. 28, 2001; 71 FR 74569, Dec. 15, 2005; 71 FR 26700, May 8, 2006]

**§ 80.76 Registration of refiners, importers or oxygenate blenders.**

(a) Registration with the Administrator of EPA is required for any refiner and importer that produces or imports any reformulated gasoline or RBOB, and any oxygenate blender that blends oxygenate into RBOB.

(b) Any person required to register shall do so by November 1, 1994, or not later than three months in advance of

the first date that such person will produce or import reformulated gasoline or RBOB or conventional gasoline, whichever is later.

(c) Registration shall be on forms prescribed by the Administrator, and shall include the following information:

(1) The name, business address, contact name, and telephone number of the refiner, importer, or oxygenate blender;

(2) For each separate refinery and oxygenate blending facility, the facility name, physical location, contact name, telephone number, and type of facility; and

(3) For each separate refinery and oxygenate blending facility, and for each importer's operations in a single PADD:

(i) Whether records are kept on-site or off-site of the refinery or oxygenate blending facility, or in the case of importers, the registered address;

(ii) If records are kept off-site, the primary off-site storage facility name, physical location, contact name, and telephone number; and

(iii) The name, address, contact name and telephone number of the independent laboratory used to meet the independent analysis requirements of § 80.65(f).

(d) EPA will supply a registration number to each refiner, importer, and oxygenate blender, and a facility registration number for each refinery and oxygenate blending facility that is identified, which shall be used in all reports to the Administrator.

(e)(1) Any refiner, importer, or oxygenate blender shall submit updated registration information to the Administrator within thirty days of any occasion when the registration information previously supplied becomes incomplete or inaccurate; except that

(2) EPA must be notified in writing of any change in designated independent laboratory at least thirty days in advance of such change.

[59 FR 7813, Feb. 16, 1994, as amended at 59 FR 36965, July 20, 1994; 71 FR 74570, Dec. 15, 2005; 71 FR 26701, May 8, 2006]