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biomass and waste derived ethanol as defined in § 80.1101(a) and (b), respectively.

(5) The independent third party verification required under § 80.1155 for producers of cellulosic biomass ethanol and waste derived ethanol.

(d) Beginning September 1, 2007, any party, other than those parties covered in paragraphs (a) and (b) of this section, that owns RINs must keep all of the following records:

(1) Product transfer documents consistent with § 80.1153 and associated with the party's activity, if any, as transferor or transferee of renewable fuel.

(2) Copies of all reports submitted to EPA under § 80.1152(c).

(3) Records related to each RIN transaction, including all of the following:

(i) A list of the RINs owned, purchased, sold, retired or expired.

(ii) The parties involved in each RIN transaction including the transferor, transferee, and any broker or agent.

(iii) The date of the transfer of the RIN(s).

(iv) Additional information related to details of the transaction and its terms.

(e) The records required under this section and under § 80.1153 shall be kept for five years from the date they were created, except that records related to transactions involving RINs shall be kept for five years from the date of transfer.

(f) On request by EPA, the records required under this section and under § 80.1153 must be made available to the Administrator or the Administrator's authorized representative. For records that are electronically generated or maintained, the equipment or software necessary to read the records shall be made available; or, if requested by EPA, electronic records shall be converted to paper documents.

[72 FR 24000, May 1, 2007]

§ 80.1152 What are the reporting requirements under the RFS program?

(a) Any obligated party described in § 80.1106 or exporter of renewable fuel described in § 80.1130 must submit to EPA reports according to the schedule,

and containing the information, that is set forth in this paragraph (a).

(1) An annual compliance demonstration report for the previous compliance period shall be submitted every February 28, except as noted in paragraph (a)(1)(x) of this section, and shall include all of the following information:

(i) The obligated party's name.

(ii) The EPA company registration number.

(iii) Whether the party is complying on a corporate (aggregate) or facility-by-facility basis.

(iv) The EPA facility registration number, if complying on a facility-by-facility basis.

(v) The production volume of all of the products listed in § 80.1107(c) for the reporting year.

(vi) The renewable volume obligation (RVO), as defined in § 80.1127(a) for obligated parties and § 80.1130(b) for exporters of renewable fuel, for the reporting year.

(vii) Any deficit RVO carried over from the previous year.

(viii) The total current-year gallon-RINs used for compliance.

(ix) The total prior-years gallon-RINs used for compliance.

(x) A list of all RINs used for compliance in the reporting year. For compliance demonstrations covering calendar year 2007 only, this list shall be reported by May 31, 2008. In all subsequent years, this list shall be submitted by February 28.

(xi) Any deficit RVO carried into the subsequent year.

(xii) Any additional information that the Administrator may require.

(2) The quarterly RIN transaction reports required under paragraph (c)(1) of this section.

(3) The quarterly gallon-RIN activity reports required under paragraph (c)(2) of this section.

(4) Reports required under this paragraph (a) must be signed and certified as meeting all the applicable requirements of this subpart by the owner or a responsible corporate officer of the obligated party.

(b) Any producer or importer of a renewable fuel must, beginning November 30, 2007, submit to EPA reports according to the schedule, and containing

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the information, that is set forth in this paragraph (b).

(1) A quarterly RIN-generation report for each facility owned by the renewable fuel producer, and each importer, shall be submitted according to the schedule specified in paragraph (d) of this section, and shall include for the reporting period all of the following information for each batch of renewable fuel produced or imported, where "batch" means a discreet quantity of renewable fuel produced or imported and assigned a unique RIN:

- (i) The renewable fuel producer's or importer's name.
- (ii) The EPA company registration number.
- (iii) The EPA facility registration number.
- (iv) The applicable quarterly reporting period.
- (v) The RINs generated for each batch according to § 80.1126.
- (vi) The production date of each batch.
- (vii) The type of renewable fuel of each batch, as defined in § 80.1101(d).
- (viii) Information related to the volume of denaturant and applicable equivalence value of each batch.
- (ix) The volume of each batch produced or imported.
- (x) Any additional information the Administrator may require.

(2) The RIN transaction reports required under paragraph (c)(1) of this section.

(3) The quarterly gallon-RIN activity report required under paragraph (c)(2) of this section.

(4) Reports required under this paragraph (b) must be signed and certified as meeting all the applicable requirements of this subpart by the owner or a responsible corporate officer of the renewable fuel producer.

(c) Any party, including any party specified in paragraphs (a) and (b) of this section, that owns RINs during a reporting period must, beginning November 30, 2007, submit reports to EPA according to the schedule, and containing the information, that is set forth in this paragraph (c).

(1) A RIN transaction report for each RIN transaction shall be submitted by the end of the quarter in which the transaction occurred, according to the

schedule specified in paragraph (d) of this section. Each report shall include all of the following:

- (i) The submitting party's name.
- (ii) The party's EPA company registration number.
- (iii) The party's facility registration number, if the report required under paragraph (c)(2) of this section is submitted on a facility-by-facility basis.
- (iv) The applicable quarterly reporting period.
- (v) Transaction type (RIN purchase, RIN sale, expired RIN, retired RIN).
- (vi) Transaction date.
- (vii) For a RIN purchase or sale, the trading partner's name.
- (viii) For a RIN purchase or sale, the trading partner's EPA company registration number. For all other transactions, the submitting party's EPA company registration number.
- (ix) RIN subject to the transaction.
- (x) For a retired RIN, the reason for retiring the RIN (*e.g.*, reportable spill under § 80.1132, import volume correction under § 80.1166(k), renewable fuel used in boiler or heater under § 80.1129(e), enforcement obligation).
- (xi) Any additional information that the Administrator may require.

(2) A quarterly gallon-RIN activity report shall be submitted to EPA according to the schedule specified in paragraph (d) of this section. Each report shall summarize gallon-RIN activities for the reporting period, separately for RINs separated from a renewable fuel volume and RINs assigned to a renewable fuel volume. A RIN owner with more than one facility may submit the report required under this paragraph for each of its facilities individually, or for all of its facilities in the aggregate. The quarterly gallon-RIN activity report shall include all of the following information:

- (i) The submitting party's name.
- (ii) The party's EPA company registration number.
- (iii) Whether the party is submitting the report required under this paragraph on a corporate (aggregate) or facility-by-facility basis.
- (iv) The party's EPA facility registration number, if the report required under this paragraph is submitted on a facility-by-facility basis.

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(v) Number of current-year gallon-RINs owned at the start of the quarter.

(vi) Number of prior-years gallon-RINs owned at the start of the quarter.

(vii) The total current-year gallon-RINs purchased.

(viii) The total prior-years gallon-RINs purchased.

(ix) The total current-year gallon-RINs sold.

(x) The total prior-years gallon-RINs sold.

(xi) The total current-year gallon-RINs retired.

(xii) The total prior-years gallon-RINs retired.

(xiii) The total current-year gallon-RINs expired (fourth quarter only).

(xiv) The total prior-years gallon-RINs expired (fourth quarter only).

(xv) Number of current-year gallon-RINs owned at the end of the quarter.

(xvi) Number of prior-years gallon-RINs owned at the end of the quarter.

(xvii) For parties reporting gallon-RIN activity under this paragraph for RINs assigned to a volume of renewable fuel, the volume of renewable fuel (in gallons) owned at the end of the quarter.

(xviii) Any additional information that the Administrator may require.

(3) All reports required under this paragraph (c) must be signed and certified as meeting all the applicable requirements of this subpart by the RIN owner or a responsible corporate officer of the RIN owner.

(d) Quarterly reports shall be submitted to EPA by: May 31st for the first calendar quarter of January through March; August 31st for the second calendar quarter of April through June; November 30th for the third calendar quarter of July through September; and February 28th for the fourth calendar quarter of October through December. For 2007, quarterly reports shall commence on November 30, 2007.

(e) Reports required under this section shall be submitted on forms and following procedures as prescribed by EPA.

[72 FR 24000, May 1, 2007]

§ 80.1153 What are the product transfer document (PTD) requirements for the RFS program?

(a) Any time that a person transfers ownership of renewable fuels subject to this subpart, the transferor must provide to the transferee documents identifying the renewable fuel and any assigned RINs which include all of the following information as applicable:

(1) The name and address of the transferor and transferee.

(2) The transferor's and transferee's EPA company registration number.

(3) The volume of renewable fuel that is being transferred.

(4) The date of the transfer.

(5) Whether any RINs are assigned to the volume, as follows:

(i) If the assigned RINs are being transferred on the same PTD used to transfer ownership of the renewable fuel, then the assigned RINs shall be listed on the PTD.

(ii) If the assigned RINs are being transferred on a separate PTD from that which is used to transfer ownership of the renewable fuel, then the PTD which is used to transfer ownership of the renewable fuel shall state the number of gallon-RINs being transferred as well as a unique reference to the PTD which is transferring the assigned RINs.

(iii) If no assigned RINs are being transferred with the renewable fuel, the PTD which is used to transfer ownership of the renewable fuel shall state "No RINs transferred".

(b) Except for transfers to truck carriers, retailers, or wholesale purchaser-consumers, product codes may be used to convey the information required under paragraphs (a)(1) through (a)(4) of this section if such codes are clearly understood by each transferee. The RIN number required under paragraph (a)(5) of this section must always appear in its entirety.

[72 FR 24000, May 1, 2007]

§ 80.1154 What are the provisions for renewable fuel producers and importers who produce or import less than 10,000 gallons of renewable fuel per year?

(a) Renewable fuel producers located within the United States that produce less than 10,000 gallons of renewable