

Environmental Protection Agency

§ 80.1350

(ii) Independent sample analysis, under § 80.65(f), is not required for conventional gasoline.

(4) Any refiner or importer may release CG prior to obtaining the test results for benzene required under paragraph (a)(1) of this section.

(5) *Exclusion of previously certified gasoline.*

(i) Any refiner who uses previously certified reformulated or conventional gasoline or RBOB to produce conventional gasoline at a refinery, must exclude the previously certified gasoline ("PCG") for purposes of demonstrating compliance with the benzene standards at § 80.1230.

(ii) To accomplish the exclusion required in paragraph (a)(5)(i) of this section, the refiner must determine the volume and benzene content of the previously certified gasoline used at the refinery and the volume and benzene content of gasoline produced at the refinery, and use the compliance calculation procedures in paragraphs (a)(5)(iii) and (a)(5)(iv) of this section.

(iii) For each batch of previously certified gasoline that is used to produce conventional gasoline the refiner must include the volume and benzene content of the previously certified gasoline as a negative volume and a negative benzene content in the refiner's compliance calculations in accordance with the requirements at § 80.1238.

(iv) For each batch of conventional gasoline produced at the refinery using previously certified gasoline, the refiner must determine the volume and benzene content and include each batch in the refinery's compliance calculations at § 80.1240 without regard to the presence of previously certified gasoline in the batch.

(v) The refiner must use any previously certified gasoline that it includes as a negative batch in its compliance calculations pursuant to § 80.1240 as a component in gasoline production during the annual averaging period in which the previously certified gasoline was included as a negative batch in the refiner's compliance calculations.

(b) *Batch numbering.* The batch numbering convention of § 80.365(b) shall apply to batches of conventional gasoline beginning with earliest applicable

date specified in paragraph (a)(2) of this section.

§ 80.1348 What gasoline sample retention requirements apply to refiners and importers?

Beginning with earliest applicable date specified in § 80.1347(a)(2), the gasoline sample retention requirements specified in subpart H of this part for the gasoline sulfur provisions apply for the purpose of complying with the requirements of this subpart, except that in addition to including the sulfur test result as provided by § 80.335(a)(4)(ii), the refiner, importer, or independent laboratory shall also include with the retained sample the test result for benzene as conducted pursuant to § 80.46(e).

RECORDKEEPING AND REPORTING REQUIREMENTS

§ 80.1350 What records must be kept?

(a) *General requirements.* The recordkeeping requirements specified in §§ 80.74 and 80.104, as applicable, apply for the purpose of complying with the requirements of this subpart; however, duplicate records are not required.

(b) *Additional records that refiners and importers shall keep.* (1) Beginning with earliest applicable date specified in § 80.1347(a)(2), any refiner for each of its refineries, and any importer for the gasoline it imports, shall keep records that include the following information, as applicable:

(i) Its compliance benzene value per § 80.1240, and the calculations used to obtain that value.

(ii) Its benzene baseline value, per § 80.1280, if the refinery or importer submitted a benzene baseline application to EPA per § 80.1285.

(iii) The number of early benzene credits generated under § 80.1275, separately by year of generation.

(iv) The number of early benzene credits obtained, separately by generating refinery and year of generation.

(v) The number of valid credits in possession of the refinery or importer at the beginning of each averaging period, separately by generating facility and year of generation.

(vi) The number of standard credits generated by the refinery or importer under § 80.1290, separately by transferor