

§§ 80.1200–80.1219

40 CFR Ch. I (7–1–10 Edition)

in this certification or submission is a fine of up to \$10,000 U.S., and/or imprisonment for up to five years.

[72 FR 24004, May 1, 2007, as amended at 73 FR 57259, Oct. 2, 2008]

Subpart L—Gasoline Benzene

SOURCE: 72 FR 8544, Feb. 26, 2007, unless otherwise noted.

§§ 80.1200–80.1219 [Reserved]

GENERAL INFORMATION

§ 80.1220 What are the implementation dates for the gasoline benzene program?

(a) *Benzene standard.* (1) For the annual averaging period beginning January 1, 2011, and for each annual averaging period thereafter, gasoline produced at each refinery of a refiner or imported by an importer, must meet the benzene standard specified in § 80.1230(a), except as otherwise specifically provided for in this subpart.

(2) For the period July 1, 2012 through December 31, 2013, and for each annual averaging period thereafter, gasoline produced at each refinery of a refiner or imported by an importer, must meet the maximum average benzene standard specified in § 80.1230(b), except as otherwise specifically provided for in this subpart.

(3) Small refiners approved under § 80.1340 may defer meeting the benzene standard specified in § 80.1230(a) until the annual averaging period beginning January 1, 2015 and may defer meeting the benzene standard specified in § 80.1230(b) until the averaging period beginning July 1, 2016, as described in § 80.1342.

(b) *Early credit generation.* (1) Effective with the averaging period beginning June 1, 2007, a refiner for each of its refineries that has an approved benzene baseline per § 80.1285 may generate early benzene credits in accordance with the provisions of § 80.1275.

(2) Early benzene credits may be generated through the end of the averaging period ending December 31, 2010, or through the end of the averaging period ending December 31, 2014 for small refiners approved under § 80.1340.

(c) *Standard credit generation.* (1) Effective with the annual averaging pe-

riod beginning January 1, 2011, a refiner for any of its refineries or an importer for its imported gasoline, may generate standard benzene credits in accordance with the provisions of § 80.1290.

(2) Effective with the annual averaging period beginning January 1, 2015, a small refiner approved under § 80.1340, for any of its refineries, may generate standard benzene credits in accordance with the provisions of § 80.1290.

§ 80.1225 Who must register with EPA under the gasoline benzene program?

(a) Refiners and importers that are registered by EPA under § 80.76, § 80.103, § 80.190, or § 80.810 are deemed to be registered for purposes of this subpart.

(b) Refiners and importers subject to the requirements in § 80.1230 that are not registered by EPA under §§ 80.76, 80.103, 80.190 or 80.810 shall provide to EPA the information required in § 80.76 by September 30, 2010, or not later than three months in advance of the first date that such person produces or imports gasoline, whichever is later.

(c) Refiners that plan to generate early credits under § 80.1275 and that are not registered by EPA under §§ 80.76, 80.103, 80.190, or 80.810 must provide to EPA the information required in § 80.76 not later than 60 days prior to the end of the first year of credit generation.

GASOLINE BENZENE REQUIREMENTS

§ 80.1230 What are the gasoline benzene requirements for refiners and importers?

(a) *Annual average benzene standard.*

(1) Except as specified in paragraph (c) of this section, a refinery's or importer's average gasoline benzene concentration in any annual averaging period shall not exceed 0.62 volume percent.

(2) Compliance with the standard specified in paragraph (a)(1) of this section, or creation of a deficit in accordance with paragraph (c) of this section, is determined in accordance with § 80.1240(a).

(3) The annual averaging period for achieving compliance with the requirement of paragraph (a)(1) of this section is January 1 through December 31 of