Environmental Protection Agency

§ 80.1295 How are gasoline benzene credits used?

(a) Credit use. (1) Gasoline benzene credits may be used to comply with the gasoline benzene standard of §80.1230(a) provided that—

(i) The gasoline benzene credits were generated according to §§80.1275 or 80.1290.

(ii) The recordkeeping requirements for gasoline benzene credits under §80.1350 are met.

(iii) The gasoline benzene credits are correctly reported according to §§80.1352 and 80.1354.

(iv) The conditions of this section are met.

(2) Gasoline benzene credits generated under §§80.1275 and 80.1290 may be used interchangeably in all credit use scenarios, subject to the credit life provisions specified in paragraph (c) of this section.

(b) Credit transfers. (1) Gasoline benzene credits obtained from another refinery or importer may be used to comply with the gasoline benzene content requirement of §80.1230(a) provided the following conditions are met:

(i) The credits are generated and reported according to the requirements of this subpart, and the transferred credits have not expired, per paragraph (c) of this section.

(ii) Any credit transfer takes place no later than the last day of February following the calendar year averaging period when the credits are used.

(iii) The credit has not been transferred more than twice. The first transfer by the refinery or importer that generated the credit may only be made to a refiner or importer that intends to use the credit; if the transferee cannot use the credit, it may make the second, and final, transfer only to a refiner or importer that intends to use or to terminate the credit. In no case may a

§ 80.1290 How are standard benzene credits generated?

(a) The standard credit averaging periods are the calendar years beginning January 1, 2011, or beginning January 1, 2015 for small refiners approved under §80.1340.

(b) [Reserved]

(c)(1) The number of standard benzene credits generated shall be calculated annually for each applicable averaging period according to the following equation:

\[
SC_y = \left( \frac{0.62 - B_{avg,y}}{100} \right) \times V_y
\]

Where:

\(SC_y\) = Standard credits generated in year \(y\) (gallons benzene).

\(B_{avg,y}\) = Annual average benzene concentration for year \(y\) (volume percent benzene), per §80.1238.

\(V_y\) = Total volume of gasoline produced or imported in year \(y\) (gallons).

(2) No credits shall be generated unless the value \(SC_y\) is positive.

(d) Standard benzene credits calculated in accordance with paragraph (c) of this section shall be expressed to the nearest gallon. Fractional values shall be rounded down if less than 0.50, and rounded up if greater than or equal to 0.50.
§ 80.1334 What are the requirements for early compliance with the gasoline benzene program?

(a)(1) A refinery may comply with the benzene requirements at § 80.1230 for its RFG and/or conventional gasoline (CG) prior to the 2011 compliance period if it applies for this early compliance option as specified in paragraph (b) of this section, and is approved by EPA.

(2) Only refineries that produce gasoline by processing crude and/or intermediate feedstocks through refinery processing units may apply for this early compliance option.

(b) Refiners must submit an application in order to be considered for early compliance as described in this section. An application for early compliance must be submitted to EPA by December 31, 2007.

(c) Credit life. (1)(i) Early credits, per § 80.1275, may be used for compliance purposes under § 80.1240(a) for any of the following annual averaging periods: 2011, 2012, 2013.

(ii) Early credits, per § 80.1275, may be used for compliance purposes under § 80.1240(a) by small refiners approved under § 80.1340 for any of the following averaging periods: 2015, 2016, 2017.