Environmental Protection Agency

§ 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 (if applicable), by facility and by year of generation.

(vii) The number of credits used, separately by generating facility and year of generation.

(viii) If any credits were obtained from, or transferred to, other parties, for each other party, its name, its EPA refinery or importer registration number, and the number of credits obtained from, or transferred to, the other party, and the price per credit.

(ix) The number of credits that expired at the end of each averaging period, separately by generating facility and year of generation.

(x) The number of credits that will be carried over into a subsequent averaging period, separately by generating facility and year of generation.

(xi) Contracts or other commercial documents that establish each transfer of credits from the transferor to the transferee.

(xii) A copy of all reports submitted to EPA under §§80.1352 and 80.1354; however, duplicate records are not required.

(2)(i) Beginning July 1, 2012, any refiner for each of its refineries, and any importer for the gasoline it imports, shall include, in the records required by paragraph (b)(1) of this section, its maximum average benzene value for the period July 1, 2012 through December 31, 2013, and for each annual compliance period thereafter.

(ii) Notwithstanding the requirements specified in paragraph (b)(2)(i) of this section, beginning July 1, 2016, a small refiner approved under §80.1340, for each of its refineries, shall include, in the records required by paragraph (b)(1) of this section, its maximum average benzene value for the period July 1, 2016 through December 31, 2017, and for each annual compliance period thereafter.

(3) Records of all supporting calculations pursuant to paragraphs (b)(1) or (b)(2) of this section shall also be kept.

(c) Length of time records shall be kept. Records required in this section shall be kept for five years from the date they were created, except that records relating to credit transfers shall be