§ 80.1404 [Reserved]

§ 80.1405 What are the Renewable Fuel Standards?

(a) (1) Renewable Fuel Standards for 2010.
   (i) The value of the cellulosic biofuel standard for 2010 shall be 0.004 percent.
   (ii) The value of the biomass-based diesel standard for 2010 shall be 1.10 percent.
   (iii) The value of the advanced biofuel standard for 2010 shall be 0.61 percent.
   (iv) The value of the renewable fuel standard for 2010 shall be 8.25 percent.

(2) Renewable Fuel Standards for 2011.
   (i) The value of the cellulosic biofuel standard for 2011 shall be 0.003 percent.
   (ii) The value of the biomass-based diesel standard for 2011 shall be 0.69 percent.
   (iii) The value of the advanced biofuel standard for 2011 shall be 0.78 percent.
   (iv) The value of the renewable fuel standard for 2011 shall be 8.01 percent.

(3) Renewable Fuel Standards for 2012.
   (i) The value of the cellulosic biofuel standard for 2012 shall be 0.006 percent.
   (ii) The value of the biomass-based diesel standard for 2012 shall be 0.91 percent.
   (iii) The value of the advanced biofuel standard for 2012 shall be 1.21 percent.
   (iv) The value of the renewable fuel standard for 2012 shall be 9.23 percent.

(b) EPA will calculate the value of the annual standards and publish these values in the Federal Register by November 30 of the year preceding the compliance period.

(c) EPA will calculate the annual renewable fuel percentage standards using the following equations:

\[
\text{Std}_{CB,i} = 100 \times \frac{RFV_{CB,i}}{(G_i - RG_i) + (GS_i - RGS_i) - GE_i + (D_i - RD_i) + (DS_i - RDS_i) - DE_i}
\]

\[
\text{Std}_{BBD,i} = 100 \times \frac{RFV_{BBD,i} \times 1.5}{(G_i - RG_i) + (GS_i - RGS_i) - GE_i + (D_i - RD_i) + (DS_i - RDS_i) - DE_i}
\]

\[
\text{Std}_{AB,i} = 100 \times \frac{RFV_{AB,i}}{(G_i - RG_i) + (GS_i - RGS_i) - GE_i + (D_i - RD_i) + (DS_i - RDS_i) - DE_i}
\]

\[
\text{Std}_{ERD,i} = 100 \times \frac{RFV_{ERD,i}}{(G_i - RG_i) + (GS_i - RGS_i) - GE_i + (D_i - RD_i) + (DS_i - RDS_i) - DE_i}
\]

Where:

- \( Std_{CB,i} \) = The cellulosic biofuel standard for year \( i \), in percent.
- \( Std_{BBD,i} \) = The biomass-based diesel standard for year \( i \), in percent.
- \( Std_{AB,i} \) = The advanced biofuel standard for year \( i \), in percent.
- \( Std_{ERD,i} \) = The renewable fuel standard for year \( i \), in percent.

\( i \) = Year.
§ 80.1406

Who is an obligated party under the RFS program?

(a)(1) An obligated party is any refiner that produces gasoline or diesel fuel within the 48 contiguous states or Hawaii, or any importer that imports gasoline or diesel fuel into the 48 contiguous states or Hawaii during a compliance period. A party that simply blends renewable fuel into gasoline or diesel fuel, as defined in §80.1407(c) or (e), is not an obligated party.

(2) If the Administrator approves a petition of Alaska or a United States territory to opt-in to the renewable fuel program under the provisions in §80.1443, then “obligated party” shall also include any refiner that produces gasoline or diesel fuel within that state or territory, or any importer that imports gasoline or diesel fuel into that state or territory.

(b) For each compliance period starting with 2010, an obligated party is required to demonstrate, pursuant to §80.1427, that it has satisfied the Renewable Volume Obligations for that compliance period. A party that simply blends renewable fuel into gasoline or diesel fuel, as defined in §80.1407(c) or (e), is not an obligated party.

(c) Aggregation of facilities—(1) Except as provided in paragraphs (c)(2), (d) and (e) of this section, an obligated party may comply with the requirements of paragraph (b) of this section in the aggregate for all of the refineries that it operates, or for each refinery individually.

(2) An obligated party that carries a deficit into year i+1 must use the same approach to aggregation of facilities in year i+1 as it did in year i.

(d) (1) The 2010 price for cellulosic biofuel waiver credits is $0.78 per waiver credit.

(2) The 2011 price for cellulosic biofuel waiver credits is $1.13 per waiver credit.

(3) The 2012 price for cellulosic biofuel waiver credits is $0.78 per waiver credit.

[77 FR 1354, Jan. 9, 2012]