Environmental Protection Agency

§ 80.1238 How is a refinery's or importer's average benzene concentration determined?

(a) The average benzene concentration of gasoline produced at a refinery or imported by an importer for an applicable averaging period is calculated according to the following equation:

\[
B_{avg} = \frac{\sum_{i=1}^{n} (V_i \times B_i)}{\sum_{i=1}^{n} V_i}
\]

Where:
- \(B_{avg}\) = Average benzene concentration for the applicable averaging period (volume percent benzene).
- \(i\) = Individual batch of gasoline produced at the refinery or imported during the applicable averaging period.
- \(n\) = Total number of batches of gasoline produced at the refinery or imported during the applicable annual averaging period.
- \(V_i\) = Volume of gasoline in batch \(i\) (gallons).
- \(B_i\) = Benzene concentration of batch \(i\) (volume percent benzene), per §80.46(e).

(b) A refiner or importer may include the volume of oxygenate added downstream from the refinery or import facility in the calculation specified in paragraph (a) of this section, provided the following requirements are met:

1. For oxygenate added to conventional gasoline or CBOB, the refiner or importer must comply with the requirements of §80.101(d)(4)(ii). The benzene content of the oxygenate must be determined using the applicable test method at §80.46 through December 31, 2015, and at §80.47 beginning January 1, 2016.

2. For oxygenate added to RBOB, the refiner or importer must comply with the requirements of §80.69(a).

(c) Refiners and importers must exclude from the calculation specified in paragraph (a) of this section all of the following:

1. Gasoline that was not produced at the refinery or imported by the importer.
2. Except as provided in paragraph (b) of this section, any blendstocks or unfinished gasoline transferred to others.
3. Gasoline that has been included in the compliance calculations for another refinery or importer.
4. Gasoline exempted from the standards under §80.1235(b).