combined employee count of all corporate entities in the venture. For government-owned refiners, the total employee count includes all government employees.

(i) Pursuant to paragraph (c) of this section, a listing of each company facility and each facility’s address where any employee, as specified in paragraph (a)(1) of this section, worked during the 12 months preceding January 1, 2006.

(ii) The average number of employees at each facility based upon the number of employees for each pay period for the 12 months preceding January 1, 2006.

(iii) The type of business activities carried out at each location.

(iv) In the case of a refiner that reactivates a refinery that it previously owned and operated and that was shut down or non-operational between January 1, 2005 and January 1, 2006, include the following:

(A) Pursuant to paragraph (c) of this section, a listing of each company refinery each refinery’s address where any employee, as specified in paragraph (a)(1) of this section, worked since the refiner acquired or reactivated the refinery.

(B) The average number of employees at any such reactivated refinery during each calendar year since the refiner reactivated the refinery.

(C) The type of business activities carried out at each location.

2. Crude oil capacity.

(i) The total corporate crude oil capacity of each refinery as reported to the Energy Information Administration (EIA) of the U.S. Department of Energy (DOE), for the period January 1, 2005 through December 31, 2005.

(ii) The information submitted to EIA is presumed to be correct. In cases where a company disagrees with this information, the company may petition EPA with appropriate data to correct the record when the company submits its application for small refiner status.

3. The type of business activity carried out at each location.

4. For each refinery, an indication of the small refiner option(s), pursuant to §80.1342, intended to be utilized at the refinery.

5. A letter signed by the president, chief operating officer or chief executive officer of the company, or his/her designee, stating that the information contained in the application is true to the best of his/her knowledge, and that the company owned the refinery as of January 1, 2006.

6. Name, address, phone number, facsimile number, and e-mail address of a corporate contact person.

7. Approval of a small refiner status application will be based on the information submitted under paragraph (c) of this section and any other relevant information.

8. EPA will notify a refiner of approval or disapproval of small refiner status by letter.

9. If approved, all refineries of the refiner may defer meeting the standard specified in §80.1230(a) until the annual averaging period beginning January 1, 2015, and the standard specified in §80.1230(b) until the averaging period beginning July 1, 2016.

10. If disapproved, all refineries of the refiner must meet the standard specified in §80.1230(a) beginning with the annual averaging period beginning January 1, 2011, and must meet the standard specified in §80.1230(b) beginning with the averaging period beginning July 1, 2012.

11. If EPA finds that a refiner provided false or inaccurate information on its application for small refiner status, the refiner’s small refiner status will be void ab initio.

12. Prior to January 1, 2014, and upon notification to EPA, a small refiner approved per this section may withdraw its status as a small refiner. Effective on January 1 of the year following such notification, the small refiner will become subject to the standards at §80.1230.
§ 80.1347 What are the sampling and testing requirements for refiners and importers?

(a) Sample and test each batch of gasoline. (1) The sampling and testing requirements specified in subpart D for reformulated gasoline shall continue to apply to reformulated gasoline and shall be extended to conventional gasoline (CG) for the purpose of complying with the benzene requirements of this subpart, except as modified by paragraphs (a)(2), (a)(3) and (a)(4) of this section.

(b) Refiners and importers shall collect a representative sample from each batch of gasoline produced or imported.