§ 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) In the case of a small refiner approved under §80.1940 for which compliance with the maximum average benzene requirement at §80.1230(b) is not feasible, the refiner may apply for hardship relief under §80.1335.

§ 80.1344 What provisions are available to a non-small refiner that acquires one or more of a small refiner’s refineries?

(a) In the case of a refiner that is not an approved small refiner under §80.1340 and that acquires a refinery from a small refiner approved under §80.1340, the small refiner provisions of the gasoline benzene program of this subpart continue to apply to the acquired refinery for a period of up to 30 months from the date of acquisition of the refinery. In no case shall this period extend beyond December 31, 2014.

(b) A refiner may apply to EPA for up to an additional six months to comply with the standards of §80.1230 for the acquired refinery if it believes that more than 30 months would be required for the necessary engineering, permitting, construction, and start-up work to be completed. Such applications must include detailed technical information supporting the need for additional time. EPA will base a decision to approve additional time on information provided by the refiner and on other relevant information. In no case shall this period extend beyond December 31, 2014.

(c) A refiner that acquires a refinery from a small refiner approved per §80.1340 shall notify EPA in writing no later than 20 days following the acquisition.

Sampling, Testing and Retention Requirements

§ 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) In the case of a small refiner approved under §80.1940 for which compliance with the maximum average benzene requirement at §80.1230(b) is not feasible, the refiner may apply for hardship relief under §80.1335.