

Environmental Protection Agency

§ 1090.805

CSV_y = Compliance sulfur value for compliance period y, per § 1090.700(a)(1), in ppm-gallons.

(d) A gasoline manufacturer must calculate and report their net average benzene concentration as follows:

$$B_{\text{NET},y} = \frac{\text{CBV}_y}{\sum_{i=1}^n V_i}$$

Where:

B_{NET,y} = The facility net average benzene concentration for compliance period y, in volume percent benzene. Round and report B_{NET,y} to two decimal places.

CBV_y = Compliance benzene value for compliance period y, per § 1090.700(b)(1)(i), in benzene gallons.

Subpart I—Registration

§ 1090.800 General provisions.

(a) *Who must register.* The following parties must register with EPA prior to engaging in any activity under this part:

- (1) Fuel manufacturers, including:
 - (i) Gasoline manufacturers.
 - (ii) Diesel fuel manufacturers.
 - (iii) ECA marine fuel manufacturers.
 - (iv) Certified butane blenders.
 - (v) Certified pentane blenders.
 - (vi) Transmix processors.
- (2) Oxygenate blenders.
- (3) Oxygenate producers, including DFE producers.
- (4) Certified pentane producers.
- (5) Certified ethanol denaturant producers.
- (6) Distributors, carriers, and pipeline operators that are part of the 500 ppm LM fuel distribution chain under a compliance plan submitted under § 1090.515(g).
- (7) Independent surveyors.
- (8) Auditors.
- (9) Third parties that submit reports on behalf of any regulated party under this part. Such parties must register and associate their registration with the regulated party for whom they are reporting.

(b) *Dates for registration.* The deadlines for registration are as follows:

(1) *New registrants.* Except as specified in paragraph (b)(2) of this section, a party not currently registered with EPA must register with EPA no later than 60 days in advance of the first

date that such party engages in any activity under this part requiring registration under paragraph (a) of this section.

(2) *Existing registrants.* Any party that is already registered with EPA under 40 CFR part 80 as of January 1, 2021, is deemed to be registered for purposes of this part, except that such party is responsible for reviewing and updating their registration information consistent with the requirements of this part, as specified in paragraph (c) of this section.

(c) *Updates to registration.* A registered party must submit updated registration information to EPA within 30 days of any occasion when the registration information previously supplied becomes incomplete or inaccurate.

(d) *RCO submission.* Registration information must be submitted by an RCO. The RCO may delegate responsibility to a person who is familiar with the requirements of this part and who is no lower in the organization than a fuel manufacturing facility manager, or equivalent.

(e) *Forms and procedures for registration.* All registrants must use forms and procedures specified by EPA.

(f) *Company and facility identification.* EPA will provide registrants with company and facility identifiers to be used for recordkeeping and reporting under this part.

(g) *English language.* Registration information submitted to EPA must be in English.

§ 1090.805 Contents of registration.

(a) *General information required for all registrants.* A party required to register under this part must submit all the following general information to EPA:

(1) *Company information.* For the company of the party, all the following information:

- (i) The company name.
- (ii) Company address, which must be the physical address of the business (*i.e.*, not a post office box).
- (iii) Mailing address, if different from company address.
- (iv) Name, title, telephone number, and email address of an RCO.

(2) *Facility information.* For each separate facility, all the following information:

- (i) The facility name.
- (ii) The physical location of the facility.
- (iii) A contact name, email address, and telephone number for the facility.
- (iv) The type of facility.

(3) *Location of records.* For each separate facility, or for each importer's operations in a single PADD, all the following information:

- (i) Whether records are kept on-site or off-site of the facility, or for an importer, the registered address.
- (ii) If records are kept off-site, the primary off-site storage name, physical location, contact name, and telephone number.

(4) *Activities.* A description of the activities that are engaged in by the company and its facilities (*e.g.*, refining, importing, etc.).

(b) *Additional information required for certified pentane producers.* In addition to the information in paragraph (a) of this section, a certified pentane producer must also submit the following information:

- (1) A description of the production facility that demonstrates that the facility is capable of producing certified pentane that is compliant with the requirements of this part without significant modifications to the existing facility.
- (2) A description of how certified pentane will be shipped from the production facility to the certified pentane blender(s) and the associated quality assurance practices that demonstrate that contamination during distribution can be adequately controlled so as not to cause certified pentane to be in violation of the standards in this part.

§ 1090.810 Voluntary cancellation of company or facility registration.

(a) *Criteria for voluntary cancellation.* A party may request cancellation of

the registration of the company or any of its facilities at any time. Such request must use forms and procedures specified by EPA.

(b) *Effect of voluntary cancellation.* A party whose registration is canceled:

- (1) Will still be liable for violation of any requirements under this part.
- (2) Will not be listed on any public list of actively registered companies that is maintained by EPA.
- (3) Will not have access to any of the electronic reporting systems associated with this part.

(4) Will still be required to meet any applicable requirements under this part (*e.g.*, the recordkeeping provisions under subpart M of this part).

(c) *Re-registration.* If a party whose registration has been voluntarily cancelled wants to re-register, they must do all the following:

- (1) Notify EPA of their intent to re-register.
- (2) Provide any required information and correct any identified deficiencies.
- (3) Refrain from initiating a new registration unless directed to do so by EPA.
- (4) Submit updated information as needed.

§ 1090.815 Deactivation (involuntary cancellation) of registration.

(a) *Criteria for deactivation.* EPA may deactivate the registration of any party, or any of a party's facilities, required to register under this part, using the process specified in paragraph (b) of this section, if any of the following criteria are met:

- (1) The party has not accessed their account or engaged in any registration or reporting activity within the most recent 24 months.
- (2) The party has failed to comply with the registration requirements of this subpart.
- (3) The party has failed to submit any required notification or report within 30 days of the required submission date.
- (4) Any required attest engagement has not been received within 30 days of the required submission date.
- (5) The party fails to pay a penalty or to perform any requirement under the terms of a court order, administrative