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(5) The EPA facility registration number of the importer that imported the batch, if applicable.

(6) The D code of RINs generated for the batch.

(7) The production process(es) used for the batch.

(8) The production date of the batch.

(9) The fuel type of the batch.

(10) The volume of the batch.

(11) The volume of ethanol denaturant and applicable equivalence value of each batch.

(12) Quantity of RINs generated for the batch.

(13) The type and quantity of feedstock(s) used for the batch.

(14) An affirmation that the feedstock(s) used for each batch meets the definition of renewable biomass as defined in § 80.1401.

(15) The type and quantity of co-products produced with the batch of renewable fuel.

(16) The type and quantity of each biointermediate used for the batch, if applicable.

(17) The EPA facility registration number of each biointermediate production facility at which a biointermediate used for the batch was produced, if applicable.

(18) Any additional information the Administrator may require.

(c) Starting July 1, 2010, each time any party sells, separates, or retires RINs generated on or after July 1, 2010, all the following information must be submitted to EPA via the submitting party's EMTS account within five (5) business days of the reportable event. Starting July 1, 2010, each time any party purchases RINs generated on or after July 1, 2010, all the following information must be submitted to EPA via the submitting party's EMTS account within ten (10) business days of the reportable event. The reportable event for a RIN purchase or sale occurs on the date of transfer per § 80.1453(a)(4). The reportable event for a RIN separation or retirement occurs on the date of separation or retirement as described in § 80.1429 or § 80.1434.

(1) The submitting party's name.

(2) The submitting party's EPA company registration number.

(3) The generation year of the RINs.

(4) The RIN status (Assigned or Separated).

(5) The D code of the RINs.

(6) Transaction type (i.e., RIN buy, RIN sell, RIN separation, RIN retire).

(7) The date of transfer per § 80.1453(a)(4), if applicable.

(8) For a RIN purchase or sale, the trading partner's name.

(9) For a RIN purchase or sale, the trading partner's EPA company registration number.

(10) For an assigned RIN purchase or sale, the renewable fuel volume associated with the sale.

(11) Quantity of RINs involved in a transaction.

(12)(i) For transactions through December 31, 2019, the per gallon RIN price or the per-gallon price of renewable fuel with RINs included.

(ii) For transactions on or after January 1, 2020:

(A) For RIN buy or sell transaction types including assigned RINs, the per-gallon RIN price or the per-gallon price of renewable fuel with RINs included.

(B) For RIN buy or sell transaction types including separated RINs, the per-gallon RIN price.

(13) The reason for retiring RINs, separating RINs, buying RINs, or selling RINs.

(14) Any additional information that the Administrator may require.

(15) For buy or sell transactions of separated RINs on or after January 1, 2020, the mechanism used to purchase the RINs (e.g., spot market or fulfilling a term contract).

(d) All information required under this section shall be submitted on forms and following procedures prescribed by the Administrator.

[75 FR 14863, Mar. 26, 2010, as amended at 75 FR 79978, Dec. 21, 2010; 77 FR 1357, Jan. 9, 2012; 84 FR 27024, June 10, 2019; 85 FR 7079, Feb. 6, 2020; 87 FR 39669, July 1, 2022]

§ 80.1453 What are the product transfer document (PTD) requirements for the RFS program?

(a) On each occasion when any party transfers ownership of neat and/or blended renewable fuels, except when such fuel is dispensed into motor vehicles or nonroad vehicles, engines, or equipment, or separated RINs subject to this subpart, the transferor must

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provide to the transferee documents that include all of the following information, as applicable:

(1) The name and address of the transferor and transferee.

(2) The transferor's and transferee's EPA company registration numbers.

(3) The volume of renewable fuel that is being transferred, if any.

(4) The date of the transfer.

(5) [Reserved]

(6) The quantity of RINs being traded.

(7) The D code of the RINs.

(8) The RIN status (Assigned or Separated).

(9) The RIN generation year.

(10) The associated reason for the sell or buy transaction (e.g., standard trade or remedial action).

(11) Additional RIN-related information, as follows:

(i) If assigned RINs are being transferred on the same PTD used to transfer ownership of the renewable fuel, then the assigned RIN information shall be identified on the PTD.

(A) The identifying information for a RIN that is transferred in EMTS generically is the information specified in paragraphs (a)(1) through (a)(10) of this section.

(B) The identifying information for a RIN that is transferred in EMTS uniquely is the information specified in paragraphs (a)(1) through (a)(10) of this section, the RIN generator company ID, the RIN generator facility ID, and the batch number.

(C) The identifying information for a RIN that is generated prior to July 1, 2010, is the 38-digit code pursuant to § 80.1425, in its entirety.

(ii) If assigned RINs are being transferred on a separate PTD from that which is used to transfer ownership of the renewable fuel, then the PTD which is used to transfer ownership of the renewable fuel shall include all the following:

(A) The number of gallon-RINs being transferred.

(B) A unique reference to the PTD which is transferring the assigned RINs.

(C) The information specified in paragraphs (a)(11)(i)(A) through (a)(11)(i)(C) of this section, as appropriate.

(iii) If no assigned RINs are being transferred with the renewable fuel, the PTD which is used to transfer ownership of the renewable fuel shall state "No assigned RINs transferred."

(iv) If RINs have been separated from the renewable fuel or fuel blend pursuant to § 80.1429(b)(4), then all PTDs which are at any time used to transfer ownership of the renewable fuel or fuel blend shall state "This volume of fuel must be used in the designated form, without further blending."

(12) For the transfer of renewable fuel for which RINs were generated, an accurate and clear statement on the product transfer document of the fuel type from Table 1 to § 80.1426, and designation of the fuel use(s) intended by the transferor, as follows:

(i) Ethanol. "This volume of neat or blended ethanol is designated and intended for use as transportation fuel or jet fuel in the 48 U.S. contiguous states and Hawaii. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430."

(ii) Biodiesel. "This volume of neat or blended biodiesel is designated and intended for use as transportation fuel, heating oil or jet fuel in the 48 U.S. contiguous states and Hawaii. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430."

(iii) Renewable heating oil. "This volume of heating oil is designated and intended for use as heating oil in the 48 U.S. contiguous states and Hawaii. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430."

(iv) Renewable diesel. "This volume of neat or blended renewable diesel is designated and intended for use as transportation fuel, heating oil or jet fuel in the 48 U.S. contiguous states and Hawaii. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430."

(v) Naphtha. "This volume of neat or blended naphtha is designated and intended for use as transportation fuel or jet fuel in the 48 U.S. contiguous states and Hawaii. This naphtha may only be used as a gasoline blendstock or jet fuel. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430."

(vi) Butanol. “This volume of neat or blended butanol is designated and intended for use as transportation fuel or jet fuel in the 48 U.S. contiguous states and Hawaii. This butanol may only be used as a gasoline blendstock or jet fuel. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430.”

(vii) Renewable fuels other than ethanol, biodiesel, heating oil, renewable diesel, naphtha or butanol. “This volume of neat or blended renewable fuel is designated and intended to be used as transportation fuel, heating oil, or jet fuel in the 48 U.S. contiguous states and Hawaii. Any person exporting this fuel is subject to the requirements of 40 CFR 80.1430.”

(b) Except for transfers to truck carriers, retailers, or wholesale purchaser-consumers, product codes may be used to convey the information required under paragraphs (a)(1) through (11) and (e) of this section if such codes are clearly understood by each transferee.

(c) For renewable fuel, other than ethanol, that is not registered as motor vehicle fuel under 40 CFR Part 79, the PTD which is used to transfer ownership of the renewable fuel shall state “This volume of renewable fuel may not be used as a motor vehicle fuel.”

(d) For fuel oil meeting paragraph (2) of the definition of “heating oil” in §80.1401, the PTD of the fuel oil shall state: “This volume of renewable fuel oil is designated and intended to be used to heat or cool interior spaces of homes or buildings to control ambient climate for human comfort. Do NOT use for process heat or cooling or any other purpose, as these uses are prohibited pursuant to 40 CFR 80.1460(g).”

(e) Beginning January 1, 2021, on each occasion when any party transfers custody or ownership of certified NTDF, except when such fuel is dispensed into motor vehicles or nonroad vehicles, engines, or equipment, the transferor must provide to the transferee documents that include all the following information, as applicable:

(1) The transferor of certified NTDF must list all applicable required information as specified at 40 CFR 1090.1115 and, if the distillate fuel contains renewable fuel, all applicable required in-

formation in paragraphs (a), (b), and (d) of this section.

(2) The transferor must include the following statement on the PTD: “15 ppm sulfur (maximum) certified NTDF—This fuel is designated for non-transportation use.”

(f)(1) On each occasion when any party transfers title or custody of a biointermediate, the transferor must provide to the transferee documents that include all of the following information:

(i) The name and address of the transferor and transferee.

(ii) The transferor’s and transferee’s EPA company registration and applicable facility registration numbers.

(iii) The volume of biointermediate that is being transferred.

(iv) The date of the transfer.

(v) The location of the biointermediate at the time of the transfer.

(vi) The following statement designating the volume of biointermediate as feedstock for the production of a renewable fuel: “This volume is designated and intended for use as biointermediate in the production of renewable fuel as defined in 40 CFR 80.1401. Parties may not generate RINs on this feedstock material and it must remain segregated from all products until received by a designated renewable fuel production facility.”

(2) In addition to the information specified in paragraph (f)(1) of this section, on each occasion when any party transfers title of a biointermediate or when any party transfers a biointermediate to a renewable fuel production facility, the transferor must provide to the transferee documents that include all of the following information:

(i) The renewable fuel type the biointermediate was designated to be used as a feedstock material for by the biointermediate producer under §80.1476(i).

(ii) The composition of the biointermediate being transferred, including:

(A) The type and quantity of each feedstock that was used to make the biointermediate.

(B) The percentage of each feedstock that is renewable biomass, rounded to two decimal places.

(C) For a biointermediate that contains both renewable and non-renewable feedstocks:

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(1) The percentage of each feedstock that is not renewable biomass, rounded to two decimal places.

(2) The feedstock energy from the renewable biomass used to make the bio-intermediate, in Btu.

(3) The feedstock energy from the non-renewable biomass used to make the biointermediate, in Btu.

(4) The total percentage of the bio-intermediate that may generate RINs, rounded to two decimal places.

(5) The total percentage of the bio-intermediate that may not generate RINs, rounded to two decimal places.

(D) For a biointermediate that contains cellulosic material:

(1) The percentage of each feedstock that is cellulosic, rounded to two decimal places.

(2) The percentage of each feedstock that is non-cellulosic, rounded to two decimal places, if applicable.

(3) If the biointermediate is intended for use in the production of a cellulosic biofuel, the total percentage of the bio-intermediate that may generate cellulosic RINs, rounded to two decimal places.

(4) For separated municipal solid waste, the cellulosic portion of the bio-intermediate is equivalent to the biogenic portion.

(5) For separated food waste, the non-cellulosic percentage is assumed to be zero percent unless it is demonstrated to be partially cellulosic.

(6) For separated yard waste, 100% of separated yard waste is deemed to be cellulosic.

(7) The following statement: "I certify that the cellulosic content of this feedstock was derived from cellulose, hemicellulose, or lignin that was derived from renewable biomass."

(iii) Copies of records specified in § 80.1454(i)(3), (5), and (6) for the volume being transferred, as applicable.

[75 FR 14863, Mar. 26, 2010, as amended at 75 FR 26045, May 10, 2010; 78 FR 62471, Oct. 22, 2013; 79 FR 42118, July 18, 2014; 81 FR 23645, Apr. 22, 2016; 85 FR 7079, Feb. 6, 2020; 85 FR 78467, Dec. 4, 2020; 87 FR 39669, July 1, 2022]

§ 80.1454 What are the recordkeeping requirements under the RFS program?

(a) *Requirements for obligated parties and exporters of renewable fuel.* Begin-

ning July 1, 2010, any obligated party (as described at § 80.1406) or exporter of renewable fuel (as described at § 80.1430) must keep all of the following records:

(1) Product transfer documents consistent with § 80.1453 and associated with the obligated party's or exporter of renewable fuel's activity, if any, as transferor or transferee of renewable fuel or separated RINs.

(2) Copies of all reports submitted to EPA under § 80.1451(a), as applicable.

(3) Records related to each RIN transaction, including all of the following:

(i) A list of the RINs owned, purchased, sold, separated, retired, or reinstated.

(ii) The parties involved in each RIN transaction including the transferor, transferee, and any broker or agent.

(iii) The date of the transfer of the RIN(s).

(iv) Additional information, including contracts, correspondence, and invoices, related to details of the RIN transaction and its terms.

(4) Records related to the use of RINs (by facility, if applicable) for compliance, including all of the following:

(i) Methods and variables used to calculate the Renewable Volume Obligations pursuant to § 80.1407 or § 80.1430.

(ii) List of RINs used to demonstrate compliance.

(iii) Additional information related to details of RIN use for compliance.

(5) Records related to the separation of assigned RINs from renewable fuel volume.

(6) For exported renewable fuel, invoices, bills of lading and other documents describing the exported renewable fuel.

(i) For exporters of renewable fuel for which no RINs were generated, an affidavit signed by the producer of the exported renewable fuel affirming that no RINs were generated for that volume of renewable fuel.

(ii) [Reserved]

(7) Any obligated party that uses the provisions of § 80.1444 for a small refinery must keep the following records:

(i) Copies of any notifications submitted to EPA under § 80.1444(e)(2).

(ii) Copies of the methods and variables used to calculate the number of