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into TGP, using the methods specified in §80.330, to determine the sulfur content of the batch.

(3) The sulfur content of each batch of gasoline produced by blending blendstock into TGP must be no greater than the downstream sulfur standard under §80.210 or §80.220 applicable to the designation of the TGP; and

(4) Gasoline produced by blending blendstock into TGP must be properly identified on product transfer documents in accordance with the provisions of §80.210 or §80.220, as applicable.

(e) Any transmix blender who produces gasoline by blending transmix, or mixtures of gasoline and distillate fuel described in §80.84(e), into previously certified gasoline under §80.84(d) must meet the applicable downstream sulfur standards under §80.210 or §80.220 for the gasoline produced by blending transmix and previously certified gasoline.

(f) Any transmix processor or transmix blender who adds feedstocks to their transmix other than gasoline, distillate fuel, or gasoline blendstocks from pipeline interface must meet all requirements and standards that apply to a refiner under subpart H of this part, other than §80.213, for all gasoline they produce during a compliance period.

[71 FR 31963, June 2, 2006]

§ 80.214 [Reserved]

GEOGRAPHIC PHASE-IN PROGRAM

§ 80.215 What is the scope of the geographic phase-in program?

(a) Geographic phase-in area. (1) The following states comprise the geographic phase-in area (GPA) subject to the provisions of the geographic phase-in program: North Dakota, Montana, Idaho, Wyoming, Utah, Colorado, New Mexico, and Alaska.

(2) In addition, the following counties within the states identified in paragraph (a)(2)(i) of this section and the following Federal Indian reservations in paragraph (a)(2)(ii) of this section are included in the GPA:

(1) The list of counties follows:

Arizona

Apache

Nebraska

Banner
Box Butte
Cheyenne
Dawes
Duel
Garden
Keith
Kimball
Morrill
Scotts Bluff
Sheridan
Sioux

Nevada

Elko
Eureka
Humboldt
Landier
Lincoln
White Pine

Oregon

Baker
Crook
Gilliam
Grant
Harney
Malheur
Morrow
Sherman
Umatilla
Union
Wallowa
Wheeler

South Dakota

Bennett
Butte
Corson
Custer
Dewey
Fall River
Haakon
Harding
Jackson
Jones
Lawrence
Meade
Mellette
Pennington
Perkins
Shannon

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§ 80.216 What standards apply to gasoline produced or imported for use in the GPA?

(a) The refinery or importer annual average sulfur standard for gasoline produced or imported for use in the geographic phase-in area under §80.215, and designated as GPA gasoline under §80.219(a), shall be 150.00 ppm.

(b) The per-gallon cap standard for gasoline produced or imported for use in the GPA under paragraph (a) of this section shall be 300 ppm, except as specified in §80.195(d).

(c) The refinery or importer annual average sulfur level is calculated in accordance with the provisions of §80.205.

(d) The refinery or importer annual average standard under paragraph (a) of this section may be met using sulfur allotments or credits as provided under §§80.275 and 80.315.

(e) Gasoline produced by approved small refiners subject to the standards under §80.219 is not subject to the standards under paragraphs (a) and (b) of this section.

(f)(1) A refiner or importer whose gasoline production or volume of imported gasoline in 2004 or 2005 is comprised of more than 50 percent of gasoline designated as GPA gasoline under §80.219(a) shall not be required to meet the corporate pool average standards under §80.195 for its gasoline production or imported gasoline during the applicable averaging period.

(2) A refiner or importer whose gasoline production or volume of imported gasoline in 2004 or 2005 is comprised of less than 50 percent of gasoline designated as GPA gasoline under §80.219(a) must meet the corporate pool average standards under §80.195 for all the refiner’s gasoline production or the importer’s volume of imported gasoline, including GPA gasoline, during the applicable averaging period.

(g) The provisions for compliance deficits under §80.205(e) do not apply to...