

(f) Registration for any facility claiming an exemption under § 80.1403(c) or (d), must be submitted by July 1, 2013. EPA may in its sole discretion waive this requirement if it determines that the information submitted in any later registration can be verified by EPA in the same manner as would have been possible with a timely submission.

(g) Registration shall be on forms, and following policies, established by the Administrator.

[75 FR 14863, Mar. 26, 2010, as amended at 75 FR 26043, May 10, 2010]

§ 80.1451 What are the reporting requirements under the RFS program?

(a) *Obligated parties and exporters.* Any obligated party described in § 80.1406 or exporter of renewable fuel described in § 80.1430 must submit to EPA reports according to the schedule, and containing all the information, that is set forth in this paragraph (a).

(1) Annual compliance reports for the previous compliance period shall be submitted by February 28 of each year and shall include all of the following information:

(i) The obligated party's or exporter's name.

(ii) The EPA company registration number.

(iii) Whether the domestic refiner, as defined in § 80.1406, is complying on a corporate (aggregate) or facility-by-facility basis.

(iv) The EPA facility registration number, if complying on a facility-by-facility basis.

(v) The production volume and import volume of all of the products listed in § 80.1407(c) and (e) for the reporting year.

(vi) The RVOs, as defined in § 80.1427(a) for obligated parties and § 80.1430(b) for exporters of renewable fuel, for the reporting year.

(vii) Any deficit RVOs carried over from the previous year.

(viii) The total current-year RINs by category of renewable fuel, as those fuels are defined in § 80.1401 (i.e., cellulosic biofuel, biomass-based diesel, advanced biofuel, renewable fuel, and cellulosic diesel), retired for compliance.

(ix) The total prior-year RINs by renewable fuel category, as those fuels are defined in § 80.1401, retired for compliance.

(x) The total cellulosic biofuel waiver credits used to meet the party's cellulosic biofuel RVO.

(xi) A list of all RINs retired for compliance in the reporting period.

(xii) Any deficit RVO(s) carried into the subsequent year.

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

(2) The RIN transaction reports required under paragraph (c)(1) of this section.

(3) The quarterly RIN activity reports required under paragraph (c)(2) of this section.

(4) Reports required under this paragraph (a) must be signed and certified as meeting all the applicable requirements of this subpart by the owner or a responsible corporate officer of the obligated party or exporter.

(b) *Renewable fuel producers (domestic and foreign) and importers.* Any domestic producer or importer of renewable fuel who generates RINs, or foreign renewable fuel producer who generates RINs, must submit to EPA reports according to the schedule, and containing all the information, that is set forth in this paragraph (b).

(1)(i) For RINs generated beginning on July 1, 2010, RIN generation reports for each facility owned by the renewable fuel producer or importer shall be submitted according to the schedule specified in paragraph (f)(2) of this section.

(ii) The RIN generation reports shall include all the following information for each batch of renewable fuel produced or imported, where "batch" means a discrete quantity of renewable fuel produced or imported and assigned a unique batch-RIN per § 80.1426(d):

(A) The RIN generator's name.

(B) The RIN generator's EPA company registration number.

(C) The renewable fuel producer EPA facility registration number.

(D) The importer EPA facility registration number and foreign renewable producer company registration number, if applicable.

(E) The applicable reporting period.

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(F) The quantity of RINs generated for each batch according to § 80.1426.

(G) The production date of each batch.

(H) The fuel type of each batch.

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

(J) The volume of each batch produced.

(K) The types and quantities of feedstocks used.

(L) The process(es) and feedstock(s) used and proportion of renewable volume attributable to each process and feedstock.

(M) The type of co-products produced with each batch.

(N) The quantity of co-products produced in each quarter.

(O) A list of the RINs generated and an affirmation that the feedstock(s) used for each batch meets the definition of renewable biomass as defined in § 80.1401.

(P) Producers of renewable electricity and producers or importers of biogas used for transportation as described in § 80.1426(f)(10) and (11), shall report all of the following:

(1) The total energy produced and supplied for use as a transportation fuel, in units of energy (for example, MMBtu or MW) based on metering of gas volume or electricity.

(2) The name and location of where the fuel is sold for use as a transportation fuel.

(Q) Producers or importers of renewable fuel produced at facilities that use biogas for process heat as described in § 80.1426(f)(12), shall report the total energy supplied to the renewable fuel facility, in MMBtu based on metering of gas volume.

(R) Producers or importers of renewable fuel made from separated municipal solid waste as described in § 80.1426(f)(5)(i)(C), shall report the amount of paper, cardboard, plastics, rubber, textiles, metals, and glass separated from municipal solid waste for recycling. Reporting shall be in units of weight (in tons).

(S) Any additional information the Administrator may require.

(2) The RIN transaction reports required under paragraph (c)(1) of this section.

(3) The RIN activity reports required under paragraph (c)(2) of this section.

(4) Reports required under this paragraph (b) must be signed and certified as meeting all the applicable requirements of this subpart by the owner or a responsible corporate officer of the renewable fuel producer or importer.

(c) *All RIN-owning parties.* Any party, including any party specified in paragraphs (a) and (b) of this section, that owns RINs during a reporting period, must submit reports to EPA according to the schedule, and containing all the information, that is set forth in this paragraph (c).

(1)(i) For RIN transactions beginning on July 1, 2010, RIN transaction reports listing each RIN transaction shall be submitted according to the schedule in paragraph (f)(2) of this section.

(ii) As per § 80.1452, RIN transaction information listing each RIN transaction shall be submitted to the EMTS.

(iii) Each report required by paragraph (c)(1)(i) of this section shall include all of the following information:

(A) The submitting party's name.

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

(C) The applicable reporting period.

(D) Transaction type (i.e., RIN buy, RIN sell, RIN separation, RIN retire, reinstated 2009 or 2010 RINs).

(E) Transaction date.

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

(G) For a RIN purchase or sale, the trading partner's EPA company registration number. For all other transactions, the submitting party's EPA company registration number.

(H) RIN subject to the transaction.

(I) For a RIN purchase or sale, the per gallon RIN price and/or the per gallon price of renewable fuel price with RINs included.

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

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

(2) RIN activity reports shall be submitted to EPA according to the schedule specified in paragraph (f)(2) of this section. Each report shall summarize RIN activities for the reporting period, separately for RINs separated from a

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renewable fuel volume and RINs assigned to a renewable fuel volume. The quarterly RIN activity reports shall include all of the following information:

- (i) The submitting party's name.
- (ii) The submitting party's EPA company registration number.
- (iii) The number of current-year RINs owned at the start of the quarter.
- (iv) The number of prior-year RINs owned at the start of the quarter.
- (v) The total current-year RINs purchased.
- (vi) The total prior-year RINs purchased.
- (vii) The total current-year RINs sold.
- (viii) The total prior-year RINs sold.
- (ix) The total current-year RINs retired.
- (x) The total prior-year RINs retired.
- (xi) The number of current-year RINs owned at the end of the quarter.
- (xii) The number of prior-year RINs owned at the end of the quarter.
- (xiii) The number of RINs generated.
- (xiv) The volume of renewable fuel (in gallons) owned at the end of the quarter.
- (xv) The total 2009 and 2010 retired RINs reinstated.
- (xvi) Any additional information that the Administrator may require.

(3) All reports required under this paragraph (c) must be signed and certified as meeting all the applicable requirements of this subpart by the RIN owner or a responsible corporate officer of the RIN owner.

(d) Except for those producers using feedstocks subject to the aggregate compliance approach described in §80.1454(g), producers and RIN-generating importers of renewable fuel made from feedstocks that are planted crops and crop residue from existing foreign agricultural land, planted trees or tree residue from actively managed tree plantations, slash and pre-commercial thinnings from forestlands or biomass obtained from areas at risk of wildfire must submit quarterly reports according to the schedule in paragraph (f)(2) of this section that include all of the following:

(1) A summary of the types and quantities of feedstocks used in that quarter.

(2) Electronic data identifying the land by coordinates of the points defining the boundaries from which each type of feedstock listed per paragraph (d)(1) of this section was harvested.

(3) If electronic data identifying a plot of land have been submitted previously, producers and RIN-generating importers may submit a cross-reference to that electronic data.

(e) If EPA finds that the 2007 baseline amount of agricultural land has been exceeded in any year beginning in 2010, beginning on the first day of July of the following calendar year any producers or importers of renewable fuel as defined in §80.1401 who use planted crops and/or crop residue from existing U.S. agricultural lands as feedstock must submit quarterly reports according to the schedule in paragraph (f)(2) of this section that include all of the following:

(1) A summary of the types and quantities of feedstocks used in that quarter.

(2) Electronic data identifying the land by coordinates of the points defining the boundaries from which each type of feedstock listed per paragraph (d)(1) of this section was harvested.

(3) If electronic data identifying a plot of land have been submitted previously, producers and RIN-generating importers may submit a cross-reference to that electronic data.

(f) *Quarterly report submission deadlines.* The submission deadlines for quarterly reports shall be as follows:

(1) [Reserved]

(2) Quarterly reports shall be submitted to EPA by the last day of the second month following the reporting period (i.e., the report covering January–March would be due by May 31st, the report covering April–June would be due by August 31st, the report covering July–September would be due by November 30th and the report covering October–December would be due by February 28th). Any reports generated by EMTS must be reviewed, supplemented, and/or corrected if not complete and accurate, and verified by the owner or responsible corporate office prior to submittal.

(3) Reports required must be signed and certified as meeting all the applicable requirements of this subpart by

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the owner or a responsible corporate officer of the submitter.

(g) All reports 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 26044, May 10, 2010; 75 FR 79978, Dec. 21, 2010]

§ 80.1452 What are the requirements related to the EPA Moderated Transaction System (EMTS)?

(a) Each party required to submit information under this section must establish an account with the EPA Moderated Transaction System (EMTS) at least 60 days prior to engaging in any RIN transactions, or July 1, 2010, whichever is later.

(b) Starting July 1, 2010, each time a domestic or foreign producer or importer of renewable fuel assigns RINs to a batch of renewable fuel pursuant to § 80.1426(e), all the following information must be submitted to EPA via the submitting party's EMTS account within five (5) business days of the date of RIN assignment.

(1) The name of the renewable fuel producer or importer.

(2) The EPA company registration number of the renewable fuel or foreign ethanol producer, as applicable.

(3) The importer's EPA company registration number if applicable.

(4) The EPA facility registration number of the renewable fuel or foreign ethanol producer, as applicable.

(5) The importer's EPA facility registration number 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 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) 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.

(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) The per gallon RIN price or the per-gallon price of renewable fuel with RINs included.

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

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

(d) All information required under this section shall be submitted on