§ 80.214  
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:

   (i) The list of counties follows:

   Arizona
   Apache

   Coconino
   Gila
   Greenlee
   Navajo

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

   Nevada
   Elko
   Eureka
   Humboldt
   Lander
   Lincoln
   White Pine

   Oregon
   Baker
   Crook
   Gilliam
   Grant
   Harney
   Malheur
   Morrow
   Sherman
   Umatilla
   Union
   Wallowa
   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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Stanley Todd Ziebach Washington
Adams Asotin Benton Chelan Columbia Douglas Ferry Franklin Garfield Grant Kittitas Klickitat Lincoln Okanogan Pend Oreille Spokane Stevens Walla Walla Whitman Yakima


(3) Contiguous tribal reservations of a particular tribe are included in the GPA if a portion of the tribal reservation is within the GPA state or county.

(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(a) is not subject to the standard 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 GPA gasoline under §80.219(a) shall be required to meet the corporate pool average standards under §80.195 for its gasoline production or imported gasoline during the applicable averaging period.

(f)(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 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


§ 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 §80.240 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 GPA gasoline under §80.219(a) shall be required to meet the corporate pool average standards under §80.195 for its gasoline production or imported gasoline during the applicable averaging period.

(f)(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 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