§ 80.1503 What are the product transfer document requirements for gasoline-ethanol blends, gasolines, and conventional blendstocks for oxygenate blending subject to this subpart?

(a) Product transfer documentation for conventional blendstock for oxygenate blending, or gasoline transferred upstream of an ethanol blending facility.

(1) In addition to any other product transfer document requirements under 40 CFR part 80, on each occasion after October 31, 2011, when any person transfers custody or title to any conventional blendstock for oxygenate
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blending which could become conventional gasoline solely upon the addition of ethanol, or gasoline upstream of an oxygenate blending facility, as defined in §80.2(ll), the transferor shall provide to the transferee product transfer documents which include the following information:

(i) The name and address of the transferor;
(ii) The name and address of the transferee;
(iii) The volume of conventional blendstock for oxygenate blending or gasoline being transferred;
(iv) The location of the conventional blendstock for oxygenate blending or gasoline at the time of the transfer;
(v) The date of the transfer;
(vi) For gasoline during the regulatory control periods defined in §80.27(a)(2)(ii) or any SIP approved or promulgated under §§110 or 172 of the Clean Air Act:
   (A) The maximum RVP, as determined by a method permitted under §80.46(c), stated in the following format: “The RVP of this gasoline does not exceed [fill in appropriate value]”;
   and
   (B) For gasoline designed for the special provisions for gasoline-ethanol blends in §80.27(d)(2), information about the ethanol content and RVP in paragraphs (a)(1) through (a)(3) of this section, with insertions as indicated:
   (1) “Suitable for the special RVP provisions for ethanol blends that contain between 9 and 10 vol % ethanol.”
   (2) “The RVP of this blendstock/gasoline for oxygenate blending does not exceed [fill in appropriate value] psi.”
   (3) The use of this gasoline to manufacture a gasoline-ethanol blend containing anything other than between 9 and 10 volume percent ethanol may cause a summertime RVP violation.
   (C) For gasoline not described in paragraph (a)(vi)(B) of this section, information regarding the suitable ethanol content, stated in the following format: “Suitable for blending with ethanol at a concentration of no more than 15 vol % ethanol.”
   (2) The requirements in paragraph (a)(1) do not apply to reformulated gasoline blendstock for oxygenate blending, as defined in §80.2(kk), which are subject to the product transfer document requirements of §80.69 and §80.77.

(b) Product transfer documentation for gasoline transferred downstream of an oxygenate blending facility.

(1) In addition to any other product transfer document requirements under 40 CFR part 80, on each occasion after October 31, 2011, when any person transfers custody or title to any gasoline-ethanol blend downstream of an oxygenate blending facility, as defined in §80.2(ll), except for transfers to the ultimate consumer, the transferor shall provide to the transferee product transfer documents which include the following information:

(i) The name and address of the transferor;
(ii) The name and address of the transferee;
(iii) The volume of gasoline being transferred;
(iv) The location of the gasoline at the time of the transfer;
(v) The date of the transfer; and
(vi) One of the statements detailed in paragraph (b)(1)(vi)(A) through (E) which accurately describes the gasoline-ethanol blend. The information regarding the ethanol content of the fuel is required year-round. The information regarding the RVP of the fuel is only required for gasoline during the regulatory control periods.
   (A) For gasoline containing no ethanol (E0), the following statement; “E0: Contains no ethanol. The RVP does not exceed [fill in appropriate value] psi.”
   (B) For gasoline containing less than 9.0 volume percent ethanol, the following statement: “EX—Contains up to X% ethanol. The RVP does not exceed [fill in appropriate value] psi.” The term X refers to the maximum volume percent ethanol present in the gasoline.
   (C) For gasoline containing between 9.0 and 10.0 volume percent ethanol (E10), the following statement; “E10: Contains between 9 and 10 vol % ethanol. The RVP does not exceed [fill in appropriate value] psi. The 1.0 psi RVP waiver applies to this gasoline. Do not mix with gasoline containing anything other than between 9 and 10 vol % ethanol.”
§ 80.1504 What acts are prohibited under this subpart?

No person shall—
(a)(1) Sell, introduce, cause or permit the sale or introduction of gasoline containing greater than 10.0 volume percent ethanol (i.e., greater than E10) into any model year 2000 or older light-duty gasoline motor vehicle, any heavy-duty gasoline motor vehicle or engine, any highway or off-highway motorcycle, or any gasoline-powered nonroad engines, vehicles or equipment.
(2) Manufacture or introduce into commerce E15 in any calendar year for use in an area prior to commencement of a survey approved under §80.1502 for that area.
(3) Notwithstanding paragraphs (a)(1) and (a)(2) of this section, no person shall be prohibited from manufacturing, selling, introducing, or causing or allowing the sale or introduction of gasoline containing greater than 10.0 volume percent ethanol into any flex-fuel vehicle.
(b) Sell, offer for sale, dispense, or otherwise make available at a retail or wholesale purchaser-consumer facility E15 that is not correctly labeled in accordance with §80.1501;
(c) Fail to fully or timely implement, or cause a failure to fully or timely implement, an approved survey required under §80.1502;
(d) Fail to generate, use, transfer and maintain product transfer documents that accurately reflect the type of product, ethanol content, maximum RVP, and other information required under §80.1503;
(e) Improperly blend, or cause the improper blending of, ethanol into conventional blendstock for oxygenate blending, gasoline or gasoline already containing ethanol, in a manner inconsistent with the information on the product transfer document under §80.1503(a)(1)(vi) or §80.1503(b)(1)(vi);
(f) For gasoline during the regulatory control periods, combine any gasoline or conventional blendstock for oxygenate blending intended for blending with E10 that qualifies for the 1 psi allowance under the special regulatory treatment as provided by §80.27(d) applicable to 9–10 volume percent gasoline-ethanol blends with any gasoline or conventional blendstock for oxygenate blending intended for blending with E15, unless the resultant combination is designated, in its entirety, as an E10 blendstock for oxygenate blending.
(g) For gasoline during the regulatory control periods, combine any gasoline-ethanol blend containing E10 that qualifies for the 1 psi allowance under the special regulatory treatment as provided by §80.27(d) applicable to 9–10 volume percent gasoline-ethanol blends, with any gasoline containing E0 or any gasoline blend containing E15.
(h) Fail to meet any other requirement of this subpart.
(i) Cause another person to commit an act in violation of paragraphs (a) through (h) of this section.