

in accordance with an appropriate standard method published by a consensus-based standards organization.

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 66477, Oct. 28, 2010; 78 FR 71972, Nov. 29, 2013]

**§ 98.395 Procedures for estimating missing data.**

(a) *Determination of quantity.* Whenever the quality assurance procedures in § 98.394(a) cannot be followed to measure the quantity of one or more petroleum products, natural gas liquids, types of biomass, feedstocks, or crude oil during any period (e.g., if a meter malfunctions), the following missing data procedures shall be used:

(1) For quantities of a product that are purchased or sold, a period of missing data shall be substituted using a reporter's established procedures for billing purposes in that period as agreed to by the party selling or purchasing the product.

(2) For quantities of a product that are not purchased or sold but of which the custody is transferred, a period of missing data shall be substituted using a reporter's established procedures for tracking purposes in that period as agreed to by the party involved in custody transfer of the product.

(b) *Determination of emission factor.* Whenever any of the procedures in § 98.394(c) cannot be followed to develop an emission factor for any reason, Calculation Method 1 of this subpart must be used in place of Calculation Method 2 of this subpart for the entire reporting year.

(c) *Determination of API gravity and sulfur content of crude oil.* For missing data on sulfur content or API gravity, the substitute data value shall be the arithmetic average of the quality-assured values of API gravity or sulfur content in the batch preceding and the batch immediately following the missing data incident. If no quality-assured data are available prior to the missing data incident, the substitute data value shall be the first quality-assured values for API gravity and sulfur content obtained from the batch after the missing data period.

[74 FR 56374, Oct. 30, 2009, as amended at 78 FR 71973, Nov. 29, 2013]

**§ 98.396 Data reporting requirements.**

In addition to the information required by § 98.3(c), the following requirements apply:

(a) Refiners shall report the following information for each facility:

(1) [Reserved]

(2) For each petroleum product or natural gas liquid listed in Table MM-1 of this subpart that enters the refinery to be further refined or otherwise used on site, report the annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product.

(3) For each feedstock reported in paragraph (a)(2) of this section that was produced by blending a petroleum-based product with a biomass-based product, report the percent of the volume reported in paragraph (a)(2) of this section that is petroleum-based (excluding any denaturant that may be present in any ethanol product).

(4)-(5) [Reserved]

(6) For each petroleum product and natural gas liquid (ex refinery gate) listed in Table MM-1 of this subpart, report the annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product. Petroleum products and natural gas liquids that enter the refinery, but are not reported in (a)(2), shall not be reported under this paragraph.

(7) For each product reported in paragraph (a)(6) of this section that was produced by blending a petroleum-based product with a biomass-based product, report the percent of the volume reported in paragraph (a)(6) of this section that is petroleum-based (excluding any denaturant that may be present in any ethanol product).

(8) [Reserved]

(9) For every feedstock reported in paragraph (a)(2) of this section for which Calculation Method 2 of this subpart was used to determine an emissions factor, report:

(i) The number of samples collected according to § 98.394(c)

(ii) The sampling standard method used.

(iii) The carbon share test results in percent mass.

(iv) The standard method used to test carbon share.

(v) The calculated CO<sub>2</sub> emissions factor in metric tons CO<sub>2</sub> per barrel or per metric ton of product.

(10) For every non-solid feedstock reported in paragraph (a)(2) of this section for which Calculation Method 2 of this subpart was used to determine an emissions factor, report:

(i) The density test results in metric tons per barrel.

(ii) The standard method used to test density.

(11) For every petroleum product and natural gas liquid reported in paragraph (a)(6) of this section for which Calculation Method 2 of this subpart was used to determine an emissions factor, report:

(i) The number of samples collected according to §98.394(c).

(ii) The sampling standard method used.

(iii) The carbon share test results in percent mass.

(iv) The standard method used to test carbon share.

(v) The calculated CO<sub>2</sub> emissions factor in metric tons CO<sub>2</sub> per barrel or per metric ton of product.

(12) For every non-solid petroleum product and natural gas liquid reported in paragraph (a)(6) for which Calculation Method 2 was used to determine an emissions factor, report:

(i) The density test results in metric tons per barrel.

(ii) The standard method used to test density.

(13) [Reserved]

(14) For each specific type of biomass that enters the refinery to be co-processed with petroleum feedstocks to produce a petroleum product reported in paragraph (a)(6) of this section, report the annual quantity in metric tons or barrels.

(15) [Reserved]

(16) The CO<sub>2</sub> emissions in metric tons that would result from the complete combustion or oxidation of each petroleum product and natural gas liquid (ex refinery gate) reported in paragraph (a)(6) of this section that were calculated according to §98.393(a) or (h).

(17) The CO<sub>2</sub> emissions in metric tons that would result from the complete combustion or oxidation of each feed-

stock reported in paragraph (a)(2) of this section that were calculated according to §98.393(b) or (h).

(18) The CO<sub>2</sub> emissions in metric tons that would result from the complete combustion or oxidation of each type of biomass feedstock co-processed with petroleum feedstocks reported in paragraph (a)(14) of this section, calculated according to §98.393(c).

(19) The sum of CO<sub>2</sub> emissions that would result from the complete combustion or oxidation of all products, calculated according to §98.393(d).

(20) For all crude oil that enters the refinery, report the annual quantity in barrels.

(21) The quantity of bulk NGLs in metric tons or barrels received for processing during the reporting year. Report only quantities of bulk NGLs not reported in (a)(2) of this section.

(22) Volume of crude oil in barrels that you injected into a crude oil supply or reservoir.

(b) In addition to the information required by §98.3(c), each importer shall report all of the following information at the corporate level:

(1) [Reserved]

(2) For each petroleum product and natural gas liquid listed in Table MM-1 of this subpart, report the annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product.

(3) For each product reported in paragraph (b)(2) of this section that was produced by blending a petroleum-based product with a biomass-based product, report the percent of the volume reported in paragraph (b)(2) of this section that is petroleum-based (excluding any denaturant that may be present in any ethanol product).

(4) [Reserved]

(5) For each product reported in paragraph (b)(2) of this section for which Calculation Method 2 of this subpart was used to determine an emissions factor, report:

(i) The number of samples collected according to §98.394(c).

(ii) The sampling standard method used.

(iii) The carbon share test results in percent mass.

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(iv) The standard method used to test carbon share.

(v) The calculated CO<sub>2</sub> emissions factor in metric tons CO<sub>2</sub> per barrel or per metric ton of product.

(6) For each non-solid product reported in paragraph (b)(2) of this section for which Calculation Method 2 of this subpart was used to determine an emissions factor, report:

(i) The density test results in metric tons per barrel.

(ii) The standard method used to test density.

(7) The CO<sub>2</sub> emissions in metric tons that would result from the complete combustion or oxidation of each imported petroleum product and natural gas liquid reported in paragraph (b)(2) of this section, calculated according to §98.393(a).

(8) The sum of CO<sub>2</sub> emissions that would result from the complete combustion oxidation of all imported products, calculated according to §98.393(e).

(c) In addition to the information required by §98.3(c), each exporter shall report all of the following information at the corporate level:

(1) [Reserved]

(2) For each petroleum product and natural gas liquid listed in Table MM-1 of this subpart, report the annual quantity in metric tons or barrels. For natural gas liquids, quantity shall reflect the individual components of the product.

(3) For each product reported in paragraph (c)(2) of this section that was produced by blending a petroleum-based product with a biomass-based product, report the percent of the volume reported in paragraph (c)(2) of this section that is petroleum based (excluding any denaturant that may be present in any ethanol product).

(4) [Reserved]

(5) For each product reported in paragraph (c)(2) of this section for which Calculation Method 2 of this subpart was used to determine an emissions factor, report:

(i) The number of samples collected according to §98.394(c).

(ii) The sampling standard method used.

(iii) The carbon share test results in percentmass.

(iv) The standard method used to test carbon share.

(v) The calculated CO<sub>2</sub> emissions factor in metric tons CO<sub>2</sub> per barrel or per metric ton of product.

(6) For each non-solid product reported in paragraph (c)(2) of this section for which Calculation Method 2 of this subpart used was used to determine an emissions factor, report:

(i) The density test results in metric tons per barrel.

(ii) The standard method used to test density.

(7) The CO<sub>2</sub> emissions in metric tons that would result from the complete combustion or oxidation of for each exported petroleum product and natural gas liquid reported in paragraph (c)(2) of this section, calculated according to §98.393(a).

(8) The sum of CO<sub>2</sub> emissions that would result from the complete combustion or oxidation of all exported products, calculated according to §98.393(e).

(d) *Blended non-crude feedstock and products.* (1) Refineries, exporters, and importers must report the following information for each blended product and non-crude feedstock where emissions were calculated according to §98.393(i):

(i) Volume or mass of each blending component.

(ii) The CO<sub>2</sub> emissions in metric tons that would result from the complete combustion or oxidation of each blended non-crude feedstock or product, using Equation MM-12 or Equation MM-13 of this section.

(iii) Whether it is a blended non-crude feedstock or a blended product.

(2) For a product that enters the refinery to be further refined or otherwise used on site that is a blended non-crude feedstock, refiners must meet the reporting requirements of paragraph (a)(2) of this section by reflecting the individual components of the blended non-crude feedstock.

(3) For a product that is produced, imported, or exported that is a blended product, refiners, importers, and exporters must meet the reporting requirements of paragraphs (a)(6), (b)(2), and (c)(2) of this section, as applicable,

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by reflecting the individual components of the blended product.

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**§ 98.397 Records that must be retained.**

(a) All reporters shall retain copies of all reports submitted to EPA under § 98.396. In addition, all reporters shall maintain sufficient records to support information contained in those reports, including but not limited to information on the characteristics of their feedstocks and products.

(b) Reporters shall maintain records to support quantities that are reported under this subpart, including records documenting any estimations of missing data and the number of calendar days in the reporting year for which substitute data procedures were followed. For all reported quantities of petroleum products, natural gas liquids, and biomass, reporters shall maintain metering, gauging, and other records normally maintained in the course of business to document product and feedstock flows including the date of initial calibration and the frequency of recalibration for the measurement equipment used.

(c) Reporters shall retain laboratory reports, calculations and worksheets used to estimate the CO<sub>2</sub> emissions of the quantities of petroleum products, natural gas liquids, biomass, and feedstocks reported under this subpart.

(d) Reporters shall maintain laboratory reports, calculations and worksheets used in the measurement of density and carbon share for any petroleum product or natural gas liquid for which CO<sub>2</sub> emissions were calculated using Calculation Method 2.

(e) Estimates of missing data shall be documented and records maintained showing the calculations.

(f) Reporters described in this subpart shall also retain all records described in § 98.3(g).

[74 FR 56374, Oct. 30, 2009, as amended at 75 FR 66478, Oct. 28, 2010; 78 FR 71974, Nov. 29, 2013]

**§ 98.398 Definitions.**

Except as specified in this section, all terms used in this subpart have the same meaning given in the Clean Air Act and subpart A of this part.

*Bulk NGLs* for purposes of reporting under this subpart means mixtures of NGLs that are sold or delivered as undifferentiated product.

*Natural Gas Liquids (NGLs)* for the purposes of reporting under this subpart means hydrocarbons that are separated from natural gas as liquids through the process of absorption, condensation, adsorption, or other methods, and are sold or delivered as differentiated product. Generally, such liquids consist of ethane, propane, butanes, or pentanes plus.

[75 FR 66478, Oct. 28, 2010, as amended at 78 FR 71974, Nov. 29, 2013]

TABLE MM-1 TO SUBPART MM OF PART 98—DEFAULT FACTORS FOR PETROLEUM PRODUCTS AND NATURAL GAS LIQUIDS<sup>1 2</sup>

Products	Column A: density (metric tons/bbl)	Column B: carbon share (% of mass)	Column C: emission factor (metric tons CO <sub>2</sub> /bbl)
<b>Finished Motor Gasoline</b>			
<b>Conventional—Summer</b>			
Regular .....	0.1181	86.66	0.3753
Midgrade .....	0.1183	86.63	0.3758
Premium .....	0.1185	86.61	0.3763
<b>Conventional—Winter</b>			
Regular .....	0.1155	86.50	0.3663
Midgrade .....	0.1161	86.55	0.3684
Premium .....	0.1167	86.59	0.3705
<b>Reformulated—Summer</b>			
Regular .....	0.1167	86.13	0.3686
Midgrade .....	0.1165	86.07	0.3677
Premium .....	0.1164	86.00	0.3670