

Environmental Protection Agency

§ 79.8

case is not offered for commercial sale to the public, shall be exempt from registration.

(3) Process chemicals used by refineries during the refinery process are exempted from the requirement for registration.

(4) If an additive manufacturer prepares for sale only to fuel manufacturers (i) a blend or mixture of two or more registered additives or (ii) a blend or mixture of one or more registered additives with one or more substances containing only carbon and/or hydrogen, he will not be required to register such blend or mixture provided he will, upon request, furnish the Administrator with the names and percentages by weight of all components of such blend or mixture.

[40 FR 52011, Nov. 7, 1975, as amended at 41 FR 21324, May 25, 1976; 59 FR 33092, June 27, 1994]

§ 79.5 Periodic reporting requirements.

(a) *Fuel manufacturers.* (1) For each calendar quarter (January through March, April through June, July through September, October through December) commencing after the date prescribed for a particular fuel in subpart D, fuel manufacturers shall submit to the Administrator a report for each registered fuel showing (i) the range of concentration of each additive reported under § 79.11(a) and (ii) the volume of such fuel produced in the quarter. Reports shall be submitted within 45 days after the close of the reporting period on forms supplied by the Administrator upon request.

(2) Fuel manufacturers shall submit to the Administrator a report annually for each registered fuel providing additional data and information as specified in § 79.31(c) and (d) in the designation of the fuel in subpart D. Reports shall be submitted on or before March 31 for the preceding year or part thereof on forms supplied by the Administrator upon request. If the date prescribed for a particular fuel in subpart D or the later registration of a fuel is between October 1 and December 31, no report will be required for the period to the end of that year.

(b) *Additive manufacturers.* Additive manufacturers shall submit to the Ad-

ministrator a report annually for each registered additive providing additional data and information as specified in paragraphs (c) and (d) in the designation of the additive in subpart D. Additive manufacturers shall also report annually the volume of each additive produced. Reports shall be submitted on or before March 31 for the preceding year or part thereof on forms supplied by the Administrator upon request. If the date prescribed for a particular additive in subpart D or the later registration of an additive is between October 1 and December 31, no report will be required for the period to the end of that year. These periodic reports shall not, however, be required for any additive that is:

(1) An additive registered under another name,

(2) A blend or mixture of two or more registered additives, or

(3) A blend or mixture of one or more registered additives with one or more substances containing only carbon and/or hydrogen.

§ 79.6 Requirement for testing.

Provisions regarding testing that is required for registration of a designated fuel or fuel additive are contained in subpart F of this part.

[59 FR 33092, June 27, 1994]

§ 79.7 Samples for test purposes.

When the Administrator requires for test purposes a fuel or additive which is not readily available in the open market, he may request the manufacturer of such fuel or additive to furnish a sample in a reasonable quantity. The fuel or additive manufacturer shall comply with such request within 30 days.

§ 79.8 Penalties.

Any person who violates section 211(a) of the Act or who fails to furnish any information or conduct any tests required under this part shall be liable to the United States for a civil penalty of not more than the sum of \$25,000 for every day of such violation and the amount of economic benefit or savings resulting from the violation. Civil penalties shall be assessed in accordance