

§ 80.300

Where:

S_{Base}=Sulfur baseline value.

V_i=Volume of gasoline batch i.

S_i=Sulfur content of gasoline batch i.

n=Total number of batches of gasoline produced during January 1, 1997 through December 31, 1998.

i=Individual batch of gasoline produced during January 1, 1997 through December 31, 1998.

(b) Any refiner who, under § 80.65 or § 80.101(d)(4), included oxygenate blended downstream in compliance calculations for 1997-1998 must include this oxygenate in the baseline calculations for sulfur content under paragraph (a) of this section.

§ 80.300 [Reserved]

ABT PROGRAM—CREDIT GENERATION

§ 80.305 How are credits generated during the time period 2000 through 2003?

(a) Credits must be calculated as follows:

$$CR_a = V_a \times (S_{Base} - S_a)$$

Where:

CR_a=Credits generated for the averaging period.

V_a=Total volume of gasoline produced during the averaging period at the refinery.

S_{Base}=Sulfur baseline value for the refinery established under § 80.250 or § 80.295.

S_a=Actual annual average sulfur level for gasoline produced during the averaging period by the refinery exclusive of any credits.

(b) The refiner may include any oxygenates included in its RFG or conventional gasoline volume under §§ 80.65 and 80.101(d)(4), respectively, for the purpose of generating credits.

(c) Credits under this program are in units of "ppm-gallons".

(d) Refiners may generate credits for gasoline produced during an averaging period only if the annual average sulfur level for the gasoline produced during the averaging period is less than 0.90 of the refiners baseline under § 80.250 or § 80.295.

(e) Credits generated in accordance with paragraph (a) of this section must be identified by the year of creation.

§ 80.310 How are credits generated beginning in 2004?

(a) A refiner for any refinery, or an importer, may generate credits in 2004 and thereafter if the annual average sulfur level for gasoline produced or imported for the averaging period is less than the applicable refinery or importer annual average sulfur standard for that refinery or importer in that year.

(b) Credits are calculated as follows:

$$CR_a = V_a \times (S_{Std} - S_a)$$

Where:

CR_a=Credits generated for the averaging period.

V_a=Total annual volume gasoline produced at a refinery or imported during the averaging period.

S_{std}=30 ppm; or the sulfur standard for a small refinery established under § 80.240; or, for gasoline designated as GPA gasoline under § 80.219, the lesser of 150 ppm, the refinery's or importer's baseline calculated under § 80.295, or the refinery's lowest annual average sulfur content for any year from 2000 through 2003 during which the refinery generated credits or allotments.

S_a=Actual annual average sulfur level of gasoline produced at a refinery or imported during the averaging period exclusive of any credits.

(c) Credits generated in accordance with this section must be identified by the year of creation.

ABT PROGRAM—CREDIT USE

§ 80.315 How are credits used and what are the limitations on credit use?

(a) *Credit use.* Credits may be used to meet the applicable refinery or importer annual average sulfur standards under § 80.195, § 80.216, or § 80.240, provided that:

(1) Sulfur credits used were generated pursuant to the requirements of this subpart; and

(2) The requirements of paragraphs (b) and (c) of this section are met.

(b) *Credit transfers.* (1) Credits obtained from other persons may be used to meet the annual average standards specified in § 80.195, § 80.216, or § 80.240 if all the following conditions are met: