

Renewable Fuel Standard (RFS2) Delayed RIN Generation Guidance Document for Canola Oil

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Compliance and Innovative Strategies Division
Office of Transportation and Air Quality
U.S. Environmental Protection Agency

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Introduction

On September 28, 2010 EPA published its Supplemental Determination for Renewable Fuels Under the Final RFS2 Program for Canola Oil. In this final rule, EPA determined that canola oil biodiesel meets the lifecycle greenhouse gas (GHG) emission reduction threshold of 50% required by the Energy Independence and Security Act of 2007 (EISA). Thus, canola oil biodiesel now qualifies as Biomass-based Diesel. Further, the final rule allows producers and importers to generate Biomass-based Diesel Renewable Identification Numbers (RINs) for canola oil biodiesel that they produced or imported dating back to July 1, 2010 through September 28, 2010 inclusive. RINs generated through this process are called “delayed RINs.” See 40 CFR 80.1426(g).

In order to generate delayed RINs for biodiesel made using canola oil as a feedstock, the canola oil must meet the definition of renewable biomass pursuant to 40 CFR 80.1401. Additionally, the canola oil biodiesel must be made via trans-esterification using natural gas or biomass for process energy, pursuant to Table 1 at 40 CFR 80.1426.

Prior to the addition of canola as an approved feedstock, grandfathered facilities were able to generate RINs with a D code of 6 for canola biodiesel. Under the new pathway, canola biodiesel qualifies for a D code of 4. In order to generate D4 RINs for a batch of canola biodiesel for which a party previously generated D6 RINs, parties must acquire and retire sufficient D6 RINs prior to delayed RIN generation and separation.

All delayed RIN generation must be conducted no later than November 27, 2010, and must be reported to EMTS. All RIN-generating producers and importers electing to generate delayed RINs must be registered and accepted by EPA pursuant to 40 CFR 80.1450. Further, all delayed RINs should have a batch number that begins with “DRN” and a production date of July 1, 2010 when generated in EMTS.

All other requirements in Subpart M that pertain to RINs are also applicable to delayed RINs, including, but not limited to, recordkeeping requirements for all producers and RIN-generating importers of renewable fuel pursuant to §80.1454.

To assist regulated parties, EPA created this step-by-step document on how RIN-generating producers and importers must generate delayed RINs pursuant to 40 CFR 80.1426(g).

Regulated parties may use this document to aid in achieving compliance with the RFS2 program regulations. However, this document does not in any way alter the requirements of those regulations. This document does not establish or change legal rights or obligations. It does not establish binding rules or requirements and is not fully determinative of the issues addressed. Agency decisions in any particular case will be made applying the law and regulations on the basis of specific facts and actual action.

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1. Grandfathered Facilities

1.1 This section applies to grandfathered facilities that have registered and been accepted by EPA, have produced canola biodiesel on or after July 1, 2010 through September 28, 2010 inclusive, generated D6 RINs for the biodiesel, and transferred the fuel and RINs to another party.

1.1.1 Registration

- Producers must update their CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- Producers must submit the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, via one of the following:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

1.1.2 Acquisition of Sufficient RINs

- For delayed RIN purposes, producers must acquire a sufficient amount of RINs with a D code of 6 and a K code of 2, not to exceed the amount of RINs that were originally generated for biodiesel produced using canola oil as a feedstock.
- Since the acquired RINs must have a D code of 6, only RINs generated under RFS2 in EMTS may be used to satisfy this requirement. RFS1 RINs cannot satisfy this requirement.
- Producers must acquire the total amount of appropriate RINs before any RINs can be retired.
- Producers may acquire RINs prior to completing the registration update (see the Registration section 1.1.1).

1.1.3 Delayed RIN Retirement

- Producers must retire the acquired RINs using the retirement code of “100: Delayed RIN Retire.”
- RINs with a retirement code of “100: Delayed RIN Retire” must satisfy the following requirements:
 - Must have been generated in 2010;
 - Must have been generated under RFS2 in EMTS;
 - Must have a D code of 6; and
 - Must have a K code of 2.
- Producers may retire RINs while completing the registration process (see the Registration section 1.1.1). Producers may retire RINs from their existing inventory and/or acquire the RINs they wish to use for retirement. In addition, the RINs used for retirement must have been validly separated (e.g. RINs used for retirement could not have been separated using the separation code “90: Delayed RIN Separation”).

1.1.4 Delayed RIN Generation

- The amount of delayed RINs generated must be equal to the amount of RINs retired using the code “100: Delayed RIN Retire.”
- Delayed RINs may only be generated after an amount of RINs equal to the original RINs generated have been retired using the code “100: Delayed RIN Retire.”
- Delayed RINs can only be generated for fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All delayed RINs must be generated in EMTS on the same submission date.
- All delayed RINs must be generated with the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- All delayed RINs must be generated as assigned RINs (K code of 1) and then immediately separated (see Section 1.1.5).
- Delayed RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All delayed RINs will have a “Batch Number Text” that begins with “DRN” and the production date will be July 1, 2010 when generated in EMTS.
- All delayed RIN generation must be done no later than November 27, 2010.

1.1.5 Delayed RIN Separation

- All delayed RINs generated must be immediately separated after RIN generation using the separation code of “90: Delayed RIN Separation.”
- All delayed RIN separation must take place on the same EMTS submission date as the delayed RIN generation.
- All delayed RIN separations must be done no later than November 27, 2010.

1.2 This section applies to grandfathered facilities that have registered and been accepted by EPA, that have produced canola biodiesel by trans-esterification, generated D6 RINs for the biodiesel, and have not transferred the fuel and RINs to another party.

1.2.1 Registration

- Producers must update their CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- Producers must submit the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, via one of the following:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

1.2.2 Transfer of biodiesel and RINs to another party

- Producers must transfer the canola biodiesel and associated D6 RINs to another party in order to generate delayed RINs.

1.2.3 Acquisition of Sufficient RINs

- For delayed RIN purposes, producers must acquire a sufficient amount of RINs with a D code of 6 and a K code of 2, not to exceed the amount of RINs that were originally generated for biodiesel produced using canola oil as the feedstock.
- Since the acquired RINs must have a D code of 6, only RINs generated under RFS2 in EMTS may be used to satisfy this requirement. RFS1 RINs cannot satisfy this requirement.
- Producers must acquire the total amount of appropriate RINs before any RINs can be retired.
- Producers may acquire RINs prior to completing the registration update (see the Registration section 1.2.1).

1.2.4 Delayed RIN Retirement

- Producers must retire the acquired RINs using the retirement code of “100: Delayed RIN Retire.”
- RINs with a retirement code of “100: Delayed RIN Retire” must satisfy the following requirements:
 - Must have been generated in 2010;

- Must have been generated under RFS2 in EMTS;
- Must have a D code of 6; and
- Must have a K code of 2.
- Producers may retire RINs while completing the registration process (see the Registration section 1.2.1).
- Producers may retire RINs while completing the registration process (see the Registration section 1.1.1). Producers may retire RINs from their existing inventory and/or acquire the RINs they wish to use for retirement. In addition, the RINs used for retirement must have been validly separated (e.g. RINs used for retirement could not have been separated using the separation code “90: Delayed RIN Separation”).

1.2.5 Delayed RIN Generation

- The amount of delayed RINs generated must be equal to the amount of RINs retired using the code “100: Delayed RIN Retire.”
- Delayed RINs may only be generated after an amount of RINs equal to the original RINs generated have been retired using the code “100: Delayed RIN Retire.”
- Delayed RINs can only be generated for fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All delayed RINs must be generated in EMTS on the same submission date.
- All delayed RINs must be generated with the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- All delayed RINs must be generated as assigned RINs (K code of 1) and then immediately separated (see Section 1.1.5).
- Delayed RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All delayed RINs will have a “Batch Number Text” that begins with “DRN” and the production date will be July 1, 2010 when generated in EMTS.
- All delayed RIN generation must be done no later than November 27, 2010.

1.2.6 Delayed RIN Separation

- All delayed RINs generated must be immediately separated after RIN generation using the separation code of “90: Delayed RIN Separation.”
- All delayed RIN separation must take place on the same EMTS submission date as the delayed RIN generation.
- All delayed RIN separations must be done no later than November 27, 2010.

1.3 This section applies to grandfathered facilities that have registered and been accepted by EPA, produced canola biodiesel by trans-esterification on or after July 1, 2010 through September 28, 2010 inclusive, have not generated RINs for that biodiesel, and have not transferred the biodiesel.

1.3.1 Registration

- Producers must update their CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- Producers must submit the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, via one of the following:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

1.3.2 RIN Generation

- RINs can only be generated for qualifying fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All RINs must be generated on the same EMTS submission date.
- All RINs must be generated as assigned RINs (K code of 1).
- All RINs must have the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All RIN generations must be done no later than November 27, 2010.

Note: RINs may not be separated using the code “90: Delayed RIN Separation” as the fuel was not transferred and therefore does not qualify for delayed RINs under 40 CFR 80.1426(g).

2. Non-Grandfathered Facilities

2.1 This section applies to non-grandfathered facilities that have registered and been accepted by EPA, that have produced canola biodiesel on or after July 1, 2010 through September 28, 2010 inclusive, using canola oil as a feedstock and trans-esterification as the process, that have not generated RINs for the batch of biodiesel, and that have transferred the batch of biodiesel to another party.

2.1.1 Registration

- Producers must update their CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- Producers must submit the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, via one of the following:
 - **For US Mail:**
U.S. Environmental Protection Agency
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1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

2.1.2 Delayed RIN Generation

- The amount of delayed RINs generated must be equal to the amount of RINs retired.
- Delayed RINs may only be generated after the original RINs have been retired.
- Delayed RINs can only be generated for fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All delayed RINs must be generated in EMTS on the same submission date.
- All delayed RINs must be generated with the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- All delayed RINs must be generated as assigned RINs (K code of 1) and then immediately separated (see Section 2.1.3).
- Delayed RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.

- All delayed RINs will have a “Batch Number Text” that begins with “DRN” and the production date will be July 1, 2010 when generated in EMTS.
- All delayed RIN generation must be done no later than November 27, 2010.

2.1.3 Delayed RIN Separation

- All delayed RINs generated must be immediately separated after RIN generation using the separation code of “90: Delayed RIN Separation.”
- All delayed RIN separation must take place on the same EMTS submission date as the delayed RIN generation.
- All delayed RIN separations must be done no later than November 27, 2010.

2.2 This section applies to non-grandfathered facilities that have registered and been accepted by EPA, that have produced canola biodiesel using trans-esterification on or after July 1, 2010 through September 28, 2010 inclusive, that have not generated RINs for the batch of biodiesel, and that have not transferred the batch of biodiesel to another party.

2.2.1 Registration

- Producers must update their CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- Producers must submit the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, via one of the following:
 - **For US Mail:**
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Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

2.2.2 RIN Generation

- RINs can only be generated for qualifying fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All RINs must be generated on the same EMTS submission date.
- All RINs must be generated as assigned RINs (K code of 1).
- All RINs must have the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All RIN generations must be done no later than November 27, 2010.

Note: RINs may not be separated using the code “90: Delayed RIN Separation” as the fuel was not transferred and therefore does not qualify for delayed RINs under 40 CFR 80.1426(g).

2.3 This section applies to non-grandfathered production facilities that have produced canola biodiesel using trans-esterification on or after July 1, 2010 through September 28, that have not previously registered and been accepted by EPA pursuant to 40 CFR 80.1450, that have not generated RINs for that biodiesel, and that have transferred that biodiesel to another party.

2.3.1 Registration

- Producers must submit RFS2 registration documents to EPA and ensure their CDX registration reflects the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).

Note: Renewable Fuel Producers may not generate RINs for renewable fuel produced prior to EPA registration acceptance except in the case of Delayed RINs.

- Producers must submit the hard copy of the CDX registration form signed by the responsible corporate officer (RCO) and the other required RFS2 registration supplemental documents, via one of the following:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

2.3.2 Delayed RIN Generation

- Delayed RINs can only be generated for fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All delayed RINs must be generated in EMTS on the same submission date.
- All delayed RINs must be generated with the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- All delayed RINs must be generated as assigned RINs (K code of 1) and then immediately separated (see Section 2.1.3).
- Delayed RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All delayed RINs will have a “Batch Number Text” that begins with “DRN” and the production date will be July 1, 2010 when generated in EMTS.
- All delayed RIN generation must be done no later than November 27, 2010.

2.3.3 Delayed RIN Separation

- All delayed RINs generated must be immediately separated after RIN generation using the separation code of “90: Delayed RIN Separation.”

- All delayed RIN separation must take place on the same EMTS submission date as the delayed RIN generation.
- All delayed RIN separations must be done no later than November 27, 2010.

2.4 This section applies to non-grandfathered facilities that have produced canola biodiesel using trans-esterification on or after July 1, 2010 through September 28, 2010 inclusive, that have not previously registered and been accepted by EPA pursuant to 40 CFR 80.1450, that have not generated RINs for that biodiesel, and have not transferred that biodiesel to another party.

2.4.1 Registration

- Producers must submit RFS2 registration documents to EPA and ensure their CDX registration reflects the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is “Canola Oil (360),” the process code is “Trans-esterification, Dedicated Renewable Biomass Facility (180),” and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).

Note: Renewable fuel producers may not generate RINs for renewable fuel produced prior to EPA registration acceptance except in the case of Delayed RINs.

- Producers must submit the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), and the other required RFS2 registration supplemental documents, via one of the following:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

2.4.2 RIN Generation

- RINs can only be generated for qualifying fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All RINs must be generated on the same EMTS submission date.
- All RINs must be generated as assigned RINs (K code of 1).
- All RINs must have the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All RIN generations must be done no later than November 27, 2010.

Note: RINs may not be separated using the code “90: Delayed RIN Separation” as the fuel was not transferred and therefore does not qualify for delayed RINs under 40 CFR 80.1426(g).

3. Importers

3.1 This section applies to importers that have, on or after July 1, 2010 through September 28, 2010 inclusive, imported fuel made using canola oil as a feedstock and trans-esterification as the process at a grandfathered, registered foreign facility, generated D6 RINs for that biodiesel, and transferred that fuel and RINs to another party.

3.1.1 Registration

- The foreign renewable fuel producer from which the importer acquires canola-based biodiesel must update their facility's CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is "Canola Oil (360)," the process code is "Trans-esterification, Dedicated Renewable Biomass Facility (180)," and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- The foreign renewable fuel producer must mail in the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, to one of the following addresses:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

3.1.2 Acquisition of Sufficient RINs

- For delayed RIN purposes, the importer must acquire a sufficient amount of RINs with a D code of 6 and a K code of 2, not to exceed the amount of RINs that were originally generated for biodiesel produced using canola oil as a feedstock.
- Since the acquired RINs must have a D code of 6, only RINs generated under RFS2 in EMTS may be used to satisfy this requirement. RFS1 RINs cannot satisfy this requirement.
- Importers must acquire the total amount of appropriate RINs before any RINs can be retired.
- Importers may acquire RINs prior to completing the registration update (see the Registration section 3.1.1).

3.1.3 Delayed RIN Retirement

- Importers must retire the acquired RINs using the retirement code of "100: Delayed RIN Retire."

- RINs with a retirement code of “100: Delayed RIN Retire” must satisfy the following requirements:
 - Must have been generated in 2010;
 - Must have been generated under RFS2 in EMTS;
 - Must have a D code of 6; and
 - Must have a K code of 2.
- Importers may retire RINs while completing the registration process (see the Registration section 3.1.1).
- Importers may retire RINs while completing the registration process (see the Registration section 1.1.1). Importers may retire RINs from their existing inventory and/or acquire the RINs they wish to use for retirement. In addition, the RINs used for retirement must have been validly separated (e.g. RINs used for retirement could not have been separated using the separation code “90: Delayed RIN Separation”).

3.1.4 Delayed RIN Generation

- The amount of delayed RINs generated must be equal to the amount of RINs retired using the retirement code of “100: Delayed RIN Retire.”
- Delayed RINs may only be generated after an amount of RINs equal to the original RINs generated have been retired using the retirement code of “100: Delayed RIN Retire.”
- Delayed RINs can only be generated for fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All delayed RINs must be generated in EMTS on the same submission date.
- All delayed RINs must be generated with the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- All delayed RINs must be generated as assigned RINs (K code of 1) and then immediately separated (see Section 1.1.5).
- Delayed RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All delayed RINs will have a “Batch Number Text” that begins with “DRN” and the production date will be July 1, 2010 when generated in EMTS.
- All delayed RIN generation must be done no later than November 27, 2010.

3.1.5 Delayed RIN Separation

- All delayed RINs generated must be immediately separated after RIN generation using the separation code of “90: Delayed RIN Separation.”
- All delayed RIN separation must take place on the same EMTS submission date as the delayed RIN generation.
- All delayed RIN separations must be done no later than November 27, 2010.

3.2 This section applies to importers that have, on or after July 1, 2010 through September 28, 2010 inclusive, imported fuel made using canola oil as a feedstock and trans-esterification as the process at a grandfathered, registered foreign, that have generated D6 RINs for that biodiesel, and that have not transferred the fuel and RINs to another party.

3.2.1 Registration

- The foreign renewable fuel producer from which the importer acquires canola-based biodiesel must update their facility's CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is "Canola Oil (360)," the process code is "Trans-esterification, Dedicated Renewable Biomass Facility (180)," and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- The foreign renewable fuel producer must mail in the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, to one of the following addresses:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

3.2.2 Transfer of biodiesel and RINs to another party

- Importers must transfer the canola biodiesel and associated D6 RINs to another party in order to generate delayed RINs.

3.2.3 Acquisition of Sufficient RINs

- For delayed RIN purposes, producers must acquire a sufficient amount of RINs with a D code of 6 and a K code of 2, not to exceed the amount of RINs that were originally generated for biodiesel produced using canola oil as a feedstock.
- Since the acquired RINs must have a D code of 6, only RINs generated under RFS2 in EMTS may be used to satisfy this requirement. RFS1 RINs cannot satisfy this requirement.
- Importers must acquire the total amount of appropriate RINs before any RINs can be retired.
- Importers may acquire RINs prior to completing the registration update (see the Registration section 3.2.1).

3.2.4 Delayed RIN Retirement

- Importers must retire the acquired RINs using the retirement code of "100: Delayed RIN Retire."

- RINs with a retirement code of “100: Delayed RIN Retire” must satisfy the following requirements:
 - Must have been generated in 2010;
 - Must have been generated under RFS2 in EMTS;
 - Must have a D code of 6; and
 - Must have a K code of 2.
- Importers may retire RINs while completing the registration process (see the Registration section 3.2.1).
- Importers may retire RINs while completing the registration process (see the Registration section 1.1.1). Importers may retire RINs from their existing inventory and/or acquire the RINs they wish to use for retirement. In addition, the RINs used for retirement must have been validly separated (e.g. RINs used for retirement could not have been separated using the separation code “90: Delayed RIN Separation”).

3.2.5 Delayed RIN Generation

- The amount of delayed RINs generated must be equal to the amount of RINs retired using the retirement code of “100: Delayed RIN Retire.”
- Delayed RINs may only be generated after an amount of RINs equal to the original RINs generated have been retired using the retirement code of “100: Delayed RIN Retire.”
- Delayed RINs can only be generated for fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All delayed RINs must be generated in EMTS on the same submission date.
- All delayed RINs must be generated with the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- All delayed RINs must be generated as assigned RINs (K code of 1) and then immediately separated (see Section 1.1.5).
- Delayed RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All delayed RINs will have a “Batch Number Text” that begins with “DRN” and the production date will be July 1, 2010 when generated in EMTS.
- All delayed RIN generation must be done no later than November 27, 2010.

3.2.6 Delayed RIN Separation

- All delayed RINs generated must be immediately separated after RIN generation using the separation code of “90: Delayed RIN Separation.”
- All delayed RIN separation must take place on the same EMTS submission date as the delayed RIN generation.
- All delayed RIN separations must be done no later than November 27, 2010.

3.3 This section applies to importers that have not generated RINs for fuel imported on or after July 1, 2010 through September 28, 2010 inclusive, from a non-grandfathered foreign facility that produced biodiesel using canola oil as a feedstock and trans-esterification as the process, and that have not transferred the fuel to another party

3.3.1 Registration

- The foreign renewable fuel producer from which the importer acquires canola-based biodiesel must update their facility's CDX registration to reflect the use of the approved feedstock with the corresponding pathway. In the case of canola oil, the feedstock code is "Canola Oil (360)," the process code is "Trans-esterification, Dedicated Renewable Biomass Facility (180)," and the renewable fuel type (D code) that corresponds to canola oil biodiesel is Biomass-based Diesel (D4).
- The foreign renewable fuel producer must mail in the hard copy of the CDX registration form, signed by the responsible corporate officer (RCO), with a letter explaining the registration update to account for canola oil biodiesel, to one of the following addresses:
 - **For US Mail:**
U.S. Environmental Protection Agency
RFS Program (6406J)
1200 Pennsylvania Avenue, NW
Washington, DC 20460
 - **For Commercial Delivery:**
U.S. Environmental Protection Agency
RFS Program
Room 647C
1310 L Street, NW
Washington, DC 20005
ph: 202-343-9038

3.3.2 RIN Generation

- RINs can only be generated for qualifying fuel that was produced on or after July 1, 2010 through September 28, 2010 inclusive.
- All RINs must be generated on the same EMTS submission date.
- All RINs must be generated as assigned RINs (K code of 1).
- All RINs must have the appropriate D code that corresponds to the approved pathway. In the case of biodiesel produced using canola oil and trans-esterification using natural gas or biomass for process energy, the D code is 4.
- RINs may be generated as one batch or as multiple batches; however, all batches must be generated on the same date.
- All RIN generations must be done no later than November 27, 2010.

Note: RINs may not be separated using the code "90: Delayed RIN Separation" as the fuel was not transferred and therefore does not qualify for delayed RINs under 40 CFR 80.1426(g).