



Western States Petroleum Association
Credible Solutions • Responsive Service • Since 1907

Catherine H. Reheis-Boyd
President

May 30, 2012

Clerk of the Board, Air Resources Board
1001 I St.
Sacramento, CA 95814
Electronic submittal to <http://www.arb.ca.gov/lispub/comm/bclist.php>

Re. **2011 Amendments to the California Reformulated Gasoline Regulations**

The Western States Petroleum Association (WSPA) appreciates the opportunity to provide comments on the Phase 2 CaRFG 15 day package of regulatory amendments.

WSPA is a non-profit trade association representing twenty-seven companies that explore for, produce, refine, transport and market petroleum, petroleum products, natural gas and other energy supplies in California, and five other western states.

Our comments on the proposed modified text are:

Exceptions to Prohibition against Combining CARBOB with Other Materials

WSPA notes that the proposed 15-day changes involve clarification of exceptions to the basic prohibition against combining CARBOB with other materials. The blending of vapor recovery condensate into CARBOB is appropriately permitted under the current regulations, based on:

1. Section 2266.5(h) specifically exempts vapor recovery condensate from the prohibition against the combination of California gasoline which has been supplied from a production or import facility with any non-oxygenate blendstock; and
2. Section 2266.5(a)(1) states that "Whenever the term "California gasoline" is used in the sections identified in the preceding sentence, the term means "California gasoline or CARBOB."", and the referenced sections include 2266.

For this reason and since clarifications are being added in the current 15-day changes regarding the combination of CARBOB with other materials, WSPA recommends that ARB add an additional clarifying paragraph to 2266.5(f)(1) as indicated below:

1415 L Street, Suite 600, Sacramento, California 95814
(916) 498-7752 • Fax: (916) 444-5745 • Cell: (916) 835-0450
cathy@wspa.org • www.wspa.org

(K) Vapor recovery condensate.

The addition of this paragraph will add clarity to the regulation within 2266.5(f)(1).

Modification of 2266.5(f)(1)(E)(4)

We have an additional suggestion to modify 2266.5(f)(1)(E)(4) with regard to the current requirement to notify ARB before putting CARB gasoline containing ethanol back into a CARBOB tank. We would like to see the notification prior to mixing removed, provided documents are maintained at the terminal for 2 years. Removing the notification prior to mixing CARB gasoline into CARBOB, so long as the necessary records are maintained for 2 years, is consistent with the approach ARB has proposed in this 15 day package to convert a terminal tank from non-CARBOB material to CARBOB in new section 2266.5(f)(1)(I). The suggested deletion is shown below in red strikeout and the new language is shown in bold blue underlined font.

Title 13 § 2266.5(f)(1)(E)

(E) Limited amounts of California gasoline containing ethanol. A person may add California gasoline containing ethanol to CARBOB at a terminal or bulk plant if all of the following conditions are met, in which case the resulting mixture will continue to be treated as CARBOB....

4. Prior to the mixing, the operator of the terminal or bulk plant ~~notifies the executive officer of~~ **documents in writing** the following:

- a. The identity and location of the facility at which the mixing will take place;
- b. The operational reason for adding the gasoline into the CARBOB;
- c. The projected percentage oxygen content of the mixture.

5. The terminal or bulk plant operator maintains for two years records documenting the information identified in section 2266.5(f)(1)(E)4, and makes them available to the executive officer upon request.

If you have any questions, please contact me or my staff, Gina Grey (480-595-7121) for clarification.

Sincerely,



c.c. C. Marvin - ARB
M. Waugh - ARB