



ADVISORY

(REGULATION CHANGES)

Number 4

Date: August 3, 1984

Applicability of New Lead in Gasoline Limits

The purpose of this advisory is to inform you of the applicability of the more stringent standards in paragraph (c) of the lead in gasoline regulation that become effective October 1, 1984.

Legal Requirements

Section 2253.2 of Title 13 of the California Administrative Code regulates the amount of lead in gasoline. Paragraph (c) prohibits the sale, offering for sale, or delivering for sale of gasoline with a lead content above a specified limit unless certain reporting requirements are met.

Changes to Paragraph (c)

On October 1, 1984, the limit for lead in gasoline in paragraph (c) will be reduced from 1.4 grams per gallon (g/gal) to 1.0 g/gal for leaded high octane gasoline (92 octane or greater) and from 1.1 g/gal to 0.8 g/gal for leaded gasoline other than leaded high octane gasoline (less than 92 octane). It is our legal opinion that the new limit will apply only to gasoline physically transferred from a California gasoline production or importation facility on or after October 1, 1984. Gasoline physically transferred prior to October 1, 1984 must meet the existing regulation limits.

If you require additional information, or would like a copy of the legal opinion, please call Kathryn Young at (916) 323-8410. Questions regarding the legal opinion should be directed to Tom Jennings at (916) 322-2884.

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4. Exceptions to Reporting Deadlines

If notifications are not made within the required time frame, a written explanation must be provided to the ARB. We will review the explanation, and if we conclude that the delay was not caused by intentional or negligent conduct of the producer or importer and the notification was made as soon as reasonably possible, the notification shall be considered to be on time.

5. Protocols

Recognition of protocols has been added to the regulation. Protocols shall be limited to the following: specification of events from which the notification and offset periods are measured; provisions to allow for reporting during normal business hours only; and reporting of actual lead content values within 24 hours after a producer determines the values.

6. Lead Content Test Methods

Lead content is to be determined by American Society for Testing and Materials (ASTM) test method D3237-79 for gasoline and blending stocks with a lead content less than 0.10 gram per gallon (gpg), and by ASTM test method D2599-81 Method B when lead contents are 0.10 gpg and greater. The first method uses atomic absorption spectrometry and the second method uses x-ray spectrometry.

These test methods will be used to determine compliance with paragraph (b) and (c), and to determine the lead content of gasoline and gasoline blending stocks when tests are required under paragraph (h)(2) and (3) as part of the quarterly average lead content computation.

(Note that the required California tests of gasoline and gasoline blending stocks used in computations of the quarterly average lead content are now different from the tests required under the federal lead regulation.)

If you have any questions regarding the notification requirements or the banking process, please call Kathryn Young at (916) 323-8410. Questions regarding protocols should be directed to Dickman Lum at (916) 323-8417, and questions regarding the test methods should be directed to Bob Effa at (916) 322-2745.

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