



Advisory

to: MOTOR FUEL PRODUCERS,
IMPORTERS, DISTRIBUTORS,
AND RETAILERS

Number 89

October 1992

WINTERTIME OXYGENATED GASOLINE PROGRAM

Section 2258 has been added to the California Code of Regulations. Selected paragraphs from the texts of this new regulation are reproduced below. Compliance with this new regulation is required starting November 1, 1992. Because the regulations affect members of the gasoline manufacturing, distribution, and marketing industry, this advisory has been prepared to notify you of its basic provisions.

Section 2258. Oxygen Content of Gasoline in the Wintertime

(a) Regulatory Standard.

(1) Starting November 1, 1992, within each of the air basins during the regulatory control period set forth in section (a)(2), no person shall sell, offer for sale, supply, offer for supply, or transport California gasoline unless the gasoline has an oxygen content of not less than 1.8 percent by weight and not more than 2.2 percent by weight.

(2) Regulatory Control Periods

(A) **October 1 through February 29** [In 1992 only, control period begins Nov. 1]
South Coast Air Basin and Ventura County

(B) **October 1 through January 31** [In 1992 only, control period begins Nov. 1]
Sacramento Valley Air Basin

San Joaquin Valley Air Basin

San Francisco Bay Area Air Basin

Lake Tahoe Air Basin

Great Basin Valley Air Basin

Mountain Counties Air Basin

North Coast Air Basin

Lake County Air Basin

Northeast Plateau Air Basin

North Central Coast Air Basin

(C) **November 1 through February 29**

San Diego Air Basin

South Central Coast Air Basin (Excluding Ventura County)

Southeast Desert Air Basin

Additionally, there are several parts of this regulation relating to the changeover from nonoxygenated gasoline to oxygenated gasoline that are of particular importance to service station owners and their distributors:

1. The first 15 days of the wintertime oxygenate season is termed the "transition period". While refiners, blenders, and distributors must provide for oxygenated fuels by the start of the season, service stations have until the end of the transition period to come into compliance. Service stations must show that specific arrangements have been made with their distributor for the delivery of an oxygenated or nonoxygenated gasoline blend in quantities that will bring their existing inventory into compliance. To accommodate stations that sell gasohol (using ethanol) during the nonoxygenate season, deliveries may contain less than the minimum 1.8 percent oxygen by weight during the transition period. Note that 1.8 to 2.2 percent oxygen by weight is equivalent to 4.8 to 6.0 percent ethanol by volume.

2. Noncomplying (nonoxygenated) gasoline may be sold as long as the last delivery of that particular grade of gasoline to the service station occurred more than 14 days before the start of the control period (November 1, 1992). If your service station receives a gasoline delivery within these 14 days, your gasoline must comply with the oxygenate requirements by the end of the transition period (November 15, 1992).

3. Distributors and fuel haulers may transport low (below 1.8% oxygen by weight) or nonoxygenated gasoline during the transition period as long as the gasoline is being delivered pursuant to a prior arrangement to bring the service station into compliance by the end of the transition period. Gasoline containing more than 2.2 percent oxygen by weight may not be transported or delivered at any time.

This oxygenate regulation does not require service station dispensers to display labels stating that the fuel contains oxygenate (alcohols and/or ethers). However, the California Department of Food and Agriculture, Division of Measurement Standards (DMS) and the U.S. Environmental Protection Agency (US EPA) may have specific labeling requirements. Please contact DMS at 916-366-5126 and US EPA at 202-233-9031.

If you have questions regarding this advisory, please contact Roye Jackson at 916-322-6033 or Raak Veblen at 916-327-1519.

Written inquiries may be addressed to:

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