



Advisory

to: MOTOR FUEL PRODUCERS,
IMPORTERS, DISTRIBUTORS,
TRANSPORTERS, and RETAILERS

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AROMATIC HYDROCARBON AND SULFUR CONTENT OF DIESEL FUEL

Sections 2281 and 2282 of Title 13, California Code of Regulations (CCR), establish statewide limits on the sulfur and aromatic hydrocarbon content of California motor vehicle diesel fuel. Selected paragraphs from the texts of these sections are reproduced below. Compliance with these new regulations is required starting October 1, 1993. Because the regulations affect members of the motor vehicle fuel manufacturing, distribution, and marketing industry, this advisory has been prepared to notify you of their basic provisions.

Section 2281. Sulfur content of Diesel Fuel. (a) Regulatory Standard.

(1) On or after October 1, 1993, no person shall sell, offer for sale, or supply any vehicular diesel fuel which has a sulfur content exceeding 500 parts per million by weight.

(2) Subsection (a)(1) shall not apply to a sale, offer for sale, or supply of diesel fuel to a refiner where the refiner further processes the diesel fuel at the refiner's refinery, prior to any subsequent sale, offer for sale, or supply of the diesel fuel.

(3) For the purposes of subsection (a)(1), each sale of diesel fuel at retail for use in a motor vehicle, and each supply of diesel fuel into a motor vehicle fuel tank, shall also be deemed a sale or supply by any person who previously sold or supplied such diesel fuel in violation of subsection (a)(1).

(g)(1) The Executive Officer shall suspend the requirements of subsection (a)(1) until October 1, 1994, for diesel fuel produced by a small refiner who demonstrates . . . that it is making good faith efforts to construct additional desulfurization equipment . . . in accordance with a schedule which is reasonably likely to enable the small refiner to comply with subsection (a)(1) through use of the desulfurization equipment by October 1, 1994. *(Note: Diesel fuel produced by a small refiner under suspension and sold, offered for sale, or transferred by the refiner for use in the South Coast Air Basin and Ventura County must still comply with the ARB's preexisting 500 ppm sulfur content limit for these areas.)*

Section 2282. Aromatic Hydrocarbon Content of Diesel Fuel. (a) Regulatory Standard.

(1) On or after October 1, 1993, except as otherwise provided in this subsection (a), no person shall sell, offer for sale, or supply any vehicular diesel fuel unless: (A) The aromatic hydrocarbon content does not exceed 10 percent by volume; or

Following paragraph (a)(1)(A) are three exceptions to the 10% aromatic hydrocarbon content requirement. Two more exceptions are found in paragraphs (a)(4) and (h). The exceptions are:

- 1) 20% aromatic hydrocarbon limit for small refiners and independent refiners.
- 2) Assignment of designated alternative limits to specific batches of diesel fuel by the producer or importer, with offset requirements.
- 3) Certified diesel fuel formulations.
- 4) Diesel sold under small refiner sulfur suspension. [see sec. 2282(a)(4) and 2281(g)(1)]
- 5) Diesel sold under variance. [sec. 2282(h)]

(2) Subsection (a)(1) shall not apply to a sale, offer for sale, or supply of vehicular diesel fuel to a refiner where the refiner further processes the diesel fuel at the refiner's refinery prior to any subsequent sale, offer for sale, or supply of the diesel fuel.

(3) For the purposes of subsection (a)(1), each sale of diesel fuel at retail for use in a motor vehicle, and each supply of diesel fuel into a motor vehicle fuel tank, shall also be deemed a sale by any person who previously sold or supplied such diesel fuel in violation of subsection (a)(1).

(4) This subsection (a) shall not apply to a small refiner during the effective period of any suspension of the sulfur in diesel fuel limits issued pursuant to Section 2281(g).

Also starting October 1, 1993, are U.S. EPA (Environmental Protection Agency) regulations concerning the sulfur, aromatic hydrocarbon, and cetane contents of diesel fuel. CARB and EPA regulations will result in three different types of diesel fuels:

- 1) California (CARB) diesel (low sulfur, low aromatic HC) - legal in California for all motor vehicles.
(CARB diesel produced under variance will comply with variance requirements. CARB diesel produced by small refiners under temporary suspension may be high in sulfur and/or aromatic hydrocarbon content and is legal in California except in the South Coast Air Basin. All diesel sold to on-road sources, however, must comply with the EPA low sulfur content requirement.)
- 2) EPA on-road diesel (low sulfur, high aromatic HC) - not legal in California for motor vehicles.
- 3) EPA offroad/CARB non-vehicular diesel (high sulfur, high aromatic HC) - not legal in California for motor vehicles; legal in California for ships, locomotives, and stationary sources, however, local air districts may limit the sulfur content of diesel fuel used in these sources.

For further information concerning EPA diesel fuel regulations, please contact James Caldwell, U.S. EPA, at 202-233-9020.

If you have questions regarding the sulfur and aromatic hydrocarbon content requirements for diesel fuel in California, please contact Roye Jackson of the Field Enforcement Section at 916-322-6033.

Written inquiries may be addressed to:

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