

ATTACHMENT B TO RESOLUTION 13-4

NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE REGULATIONS FOR GASOLINE AND DIESEL FUEL TEST METHODS

Staff's Suggested Modifications to the Original Proposal

TO BE PRESENTED AT THE JANUARY 25, 2013 HEARING
OF THE AIR RESOURCES BOARD

Note: The preexisting text is set forth below in normal type. The amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions. The 15-day changes are shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions. Only sections with 15-day changes are shown in this document. The symbol “* * * * *” means that intervening text not being amended is not shown. Subsection headings are shown in ***bold italics*** and are to be italicized in Barclays California Code of Regulations.

Amend Sections 2262.9, 2263, and 2282, Title 13, California Code of Regulations (CCR) to read:

**California Code of Regulations, Title 13, Division 3
Chapter 5. Standards for Motor Vehicle Fuels
Article 1. Standards for Gasoline**

Subarticle 2. Standards for Gasoline Sold Beginning March 1, 1996

§ 2262.9. Requirements Regarding Denatured Ethanol Intended For Use as a Blend Component in California Gasoline.

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(b) Test Methods

- (1) In determining compliance with the denatured ethanol standards in section (a)(1)(A):

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(B) The aromatic hydrocarbon, benzene and olefins content of denatured ethanol shall be determined by sampling the denaturant and using the methods specified in section 2263 to determine the content of those compounds in the denaturant. The result will then be multiplied by 0.0500, except that where it is demonstrated that the denatured ethanol contains less than 5.00 percent denaturant, the result will be multiplied by the decimal fraction representing the percent denaturant; or

(C) Starting ~~insert effective date~~ October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later, the aromatic hydrocarbon and benzene content of denatured ethanol shall be determined by ASTM D7576-10, which is incorporated herein by reference. Starting ~~insert effective date~~ October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later, the olefin content of denatured ethanol shall be determined by ASTM D7347-07e1, which is incorporated herein by reference.

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Note: Authority cited: Sections 39600, 39601, 43013, 43013.1, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43013.1, 43016, 43018, 43101 and 43830.8, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

§ 2263. Sampling Procedures and Test Methods.

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(b) **Test Methods.**

(1) In determining compliance with the gasoline standards set forth in this subarticle 2, including those in the sections identified in Table 1, the test methods presented in Table 1 shall be used. All identified test methods are incorporated herein by reference.

Table 1

Section	Gasoline Specification	Test Method ^a
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2262	Sulfur Content	ASTM D 2622-94 ^{c, d} or ASTM D 5453-93 (Through <u>insert day</u> <u>before effective date</u>) <u>Prior to October 10, 2013</u> <u>or two months from the</u> <u>date of filing of this</u> <u>subsection with the</u> <u>Secretary of State,</u> <u>whichever is later)</u> ASTM D 5453-93 (Starting <u>insert effective</u> <u>date</u>) <u>October 10, 2013 or</u> <u>two months from the date</u> <u>of filing of this subsection</u> <u>with the Secretary of</u> <u>State, whichever is later)</u>
2262	Benzene Content	ASTM D 5580-00 ^e (Through <u>insert day</u> <u>before effective date</u>) <u>Prior to October 10, 2013</u> <u>or two months from the</u> <u>date of filing of this</u> <u>subsection with the</u> <u>Secretary of State,</u> <u>whichever is later)</u> ASTM D 5580-02 (2007) (Starting <u>insert effective</u> <u>date</u>) <u>October 10, 2013 or</u> <u>two months from the date</u> <u>of filing of this subsection</u> <u>with the Secretary of</u> <u>State, whichever is later)</u>
2262	Olefin Content	ASTM D 1319-95a ^f (Through December 31, 2001) ASTM D 6550-00 ^{g,h,i}

		<p>(Starting January 1, 2002 through insert day before effective date and prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)</p> <p>ASTM D 6550-10^{k,l,m}</p> <p>(Starting insert effective date October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)</p>
2262	Oxygen Content	<p>ASTM D 4815-04</p> <p>(Through insert day before effective date)</p> <p>Prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)</p> <p>ASTM D 4815-09</p> <p>(Starting insert effective date October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)</p>
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2262	Aromatic Hydrocarbon Content	<p>ASTM D 5580-00^j</p> <p>(Through insert day before effective date)</p> <p>Prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State,</p>

		<p><u>whichever is later)</u> <u>ASTM D 5580-02 (2007)</u> <u>(Starting insert effective date October 10, 2013 or</u> <u>two months from the date</u> <u>of filing of this subsection</u> <u>with the Secretary of</u> <u>State, whichever is later)</u></p>
2262.5(b)	Ethanol Content	<p>ASTM D 4815-04 (Through insert day before effective date) <u>Prior to October 10, 2013</u> <u>or two months from the</u> <u>date of filing of this</u> <u>subsection with the</u> <u>Secretary of State,</u> <u>whichever is later)</u> ASTM D 4815-09 (Starting insert effective date) October 10, 2013 or <u>two months from the date</u> <u>of filing of this subsection</u> <u>with the Secretary of</u> <u>State, whichever is later)</u></p>
2262.6	MTBE Content	<p>ASTM D 4815-04 (Through insert day before effective date) <u>Prior to October 10, 2013</u> <u>or two months from the</u> <u>date of filing of this</u> <u>subsection with the</u> <u>Secretary of State,</u> <u>whichever is later)</u> ASTM D 7754-11 (Starting insert effective date) October 10, 2013 or <u>two months from the date</u> <u>of filing of this subsection</u> <u>with the Secretary of</u> <u>State, whichever is later)]</u></p>
2262.6(c)	Oxygen from oxygenates identified in section 2262.6(c)(4)	<p>ASTM D 4815-04 (Through insert day before effective date)</p>

		<u>Prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later) ASTM D 7754-11 (Starting insert effective date October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)</u>
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Note: Authority cited: Sections 39600, 39601, 43013, 43013.1, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43013.1, 43016, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975).

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**California Code of Regulations, Title 13, Division 3
Chapter 5. Standards for Motor Vehicle Fuels
Article 2. Standards for Diesel Fuel**

§ 2282. Aromatic Hydrocarbon Content of Diesel Fuel

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(c) **Test Method.** Compliance with the aromatic hydrocarbon content limitations specified in this section 2282 shall be determined by ASTM Test Method D5186-96, which is incorporated herein by reference, ~~through insert day before effective date~~ prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later. Starting ~~insert effective date~~ October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later, compliance shall be determined by ASTM D5186-03(2009), which is incorporated herein by reference. The following correlation equation shall be used to convert the SFC results in mass percent to volume percent:̄

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(g) **Certified Diesel Fuel Formulations Resulting in Equivalent Emissions Reductions.**

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(2) **The candidate fuel.**

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(B) The following characteristics of the candidate fuel shall be determined as the average of three tests conducted in accordance with the referenced test method (the ASTM methods are incorporated herein by reference):

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2. Total aromatic hydrocarbon content, by ASTM D5186-96 (through ~~insert day before the effective date~~ prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later) and by ASTM D5186-03(2009) (starting ~~insert effective date~~ October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later);
3. Polycyclic aromatic hydrocarbon content, by ASTM D5186-96 (through ~~insert day before the effective date~~ prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later) and by ASTM D5186-03(2009) (starting ~~insert effective date~~ October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later);

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(3) **The reference fuel.**

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Reference Fuel Specifications

<i>Property</i>	<i>ASTM Test Method</i>	<i>General Reference Fuel Specifications</i>	<i>Small Refiner Reference Fuel Specifications</i>
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Aromatic Hydrocarbon Content, Vol. %	D5186-96 (through <u>insert day</u> <u>before effective date</u>) prior to <u>October 10, 2013</u> or two months from the date of filing of this subsection with the Secretary of State, whichever is later)	10% max.	20% max.
	D5186-03(2009) (starting <u>insert</u> <u>effective date</u>) <u>October 10, 2013</u> or two months from the date of filing of this subsection with the Secretary of State, whichever is later)	10% max.	20% max.

Polycyclic Aromatic Hydrocarbon content, Wt. %	D5186-96 (through <u>insert day</u> <u>before effective date</u>) prior to <u>October 10, 2013</u> or two months from the date of filing of this subsection with the Secretary of State, whichever is later)	1.4% max.	4% max.
	D5186-03(2009) (starting <u>insert</u> <u>effective date</u>) <u>October 10, 2013</u> or two months from the date of filing of this subsection with the Secretary of State, whichever is later)	1.4% max.	4% max.

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(h) Designated Equivalent Limits.

(1) **Designated equivalent limits.** The designated equivalent limits under this section 2282 are set forth in the following table. Compliance with the limits for the properties shall be determined by the specified ASTM methods, which are incorporated herein by reference.

<i>Property</i>	<i>Equivalent Limit</i>	<i>Test Method</i>
Aromatic Hydrocarbon Content (% by wt.)	≤ 21.0	ASTM D5186-96 (through <u>insert day before effective date</u>) prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later) ASTM D5186-03(2009) (starting insert effective date) October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)
PAH Content (% by wt.)	≤ 3.5	ASTM D5186-96 (through <u>insert day before effective date</u>) prior to October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later) ASTM D5186-03(2009) (starting insert effective date) October 10, 2013 or two months from the date of filing of this subsection with the Secretary of State, whichever is later)
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Note: Authority cited: Sections 39600, 39601, 43013, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal. 3d 411, 121 Cal. Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43016, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District*, 14 Cal. 3d 411, 121 Cal. Rptr. 249 (1975).