

State of California
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider Amendments to a Regulation Limiting the Sulfur Content of Motor Vehicle Diesel Fuel Statewide

Agenda Item No.: 90-8-2

Public Hearing Date: June 21, 1990

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no adverse environmental effects.

Response: N/A

Certified:

Judith M. Lounsbury
Judith M. Lounsbury
Board Secretary

Date:

8/28/90

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RESOURCES AGENCY OF CALIFORNIA

State of California
AIR RESOURCES BOARD

Resolution 90-43

June 21, 1990

Agenda Item No.: 90-8-2

WHEREAS, Sections 39600 and 39601 of the Health and Safety Code authorize the Air Resources Board (the Board) to adopt standards, rules and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Health and Safety Code section 43013 authorizes the Board to adopt and implement motor vehicle fuel specifications for the control of air contaminants which the Board has found to be necessary, cost-effective, and technologically feasible to carry out the purposes of Division 26 of the Health and Safety Code;

WHEREAS, Health and Safety Code section 43018 directs the Board to endeavor to achieve the maximum degree of emission reduction possible from vehicular and other mobile sources in order to accomplish the attainment of the state ambient air quality standards at the earliest practicable date, and directs the Board no later than January 1, 1992 to take whatever actions are necessary, cost effective, and technologically feasible in order to achieve, not later than December 31, 2000, specified reductions in the emissions of air pollutants from vehicular sources, including the maximum feasible reductions in particulate;

WHEREAS, following a hearing on November 18, 1988, the Board adopted Title 13, California Code of Regulations, section 2255, establishing a statewide maximum sulfur content standard of 500 parts per million (ppm) for motor vehicle diesel fuel, starting October 1, 1993;

WHEREAS, section 2255(a)(2) substitutes a 1500 ppm sulfur content limit for the 500 ppm limit where the person selling, supplying, or offering the diesel fuel demonstrates that he or she has taken reasonable precautions to assure that the diesel fuel will be dispensed to motor vehicles only at altitudes above 3000 feet and only between November 1 and March 31;

WHEREAS, the provisions in section 2255 on the sulfur content of diesel fuel sold for use in the wintertime at higher elevations were included because some refiners indicated it was necessary for them to blend higher sulfur content jet fuel into diesel fuel sold at higher elevations in the wintertime to achieve acceptable cloud/pour point characteristics;

WHEREAS, the staff has proposed an amendment to section 2255 which would delete the provisions establishing the less stringent sulfur content standard for higher altitude wintertime diesel fuel;

WHEREAS, the California Environmental Quality Act and Board regulations require that an action not be adopted as proposed where it will have significant adverse environmental impacts and alternatives or feasible mitigation measures to the proposed action are available which would substantially reduce or avoid such impacts;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with Section 11340), Part 1, Division 3, Title 2 of the Government Code; and

WHEREAS, the Board finds that:

Emissions from diesel-powered motor vehicles contribute to ambient concentrations of PM10 and visibility reducing particles;

The national and/or state ambient air quality standards for these pollutants are violated in California;

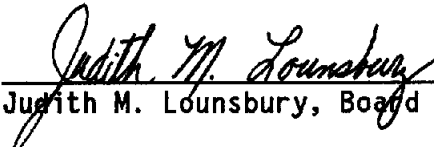
Reducing the sulfur content of motor vehicle diesel fuel reduces emissions of sulfur dioxide and particulate matter from diesel-powered motor vehicles;

It is technologically feasible and cost-effective to eliminate the regulatory provisions establishing the less stringent sulfur content standard for higher altitude wintertime diesel fuel because most California refiners produce jet fuel that has a sulfur content below 500 ppm, and in those instances where refiners do not produce low sulfur jet fuel they can either (a) engage in an exchange agreement with refiners that produce low sulfur jet fuel, (b) hydrodesulfurize jet fuel as needed, or (c) use cloud point/pour point depressancy additives; all these options are available within a reasonable range of cost-effectiveness; and

The amendments adopted herein will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the amendment to Title 13, California Code of Regulations, section 2255 as set forth in Attachment A hereto.

I hereby certify that the above is a true and correct copy of Resolution 90-43, as adopted by the Air Resources Board.


Judith M. Lounsbury, Board Secretary