

REQUEST FOR EARLY EFFECTIVE DATE

FOLLOW-UP AMENDMENTS TO THE CALIFORNIA PHASE 3 REFORMULATED GASOLINE REGULATIONS

Pursuant to Government Code section 11343.4(d), the Air Resources Board (ARB) requests that the follow-up amendments to the California Phase 3 Reformulated gasoline (CaRFG3) amendments become effective upon filing with the Secretary of State. Good cause for this request exists.

These amendments consist of amendments to sections 2260, 2261, 2262.3, 2262.5, 2263, 2264, 2265, 2266, 2266.5, 2270, 2272, 2273, 2282, 2296 and 2297, and adoption of section 2262.9, title 13, California Code of Regulations (CCR). They include the adoption of the "Procedures for Using the California Model for California Reformulated Blendstock for Oxygenate Blending (CARBOB)" (hereafter the CARBOB Model Procedures), incorporated by reference in section 2266.5(a)(2)(B)1., title 13, CCR. They also include amendments to "California Procedures for Evaluating Alternative Specifications for Phase 3 Reformulated Gasoline Using the California Predictive Model" (hereafter the CaRFG3 Predictive Model Procedures"), which is incorporated by reference in section 2265(a), title 13, CCR, and to the "California Test Procedures for Evaluating Alternative Specifications for Gasoline" (Renamed as the "California Procedures for Evaluating Alternative Specifications for Gasoline Using Vehicle Emissions Testing"), which is incorporated by reference in section 2266(a), title 13, CCR.

The amendments make a number of changes to how the CaRFG3 regulations are administered. One important element is the creation of a new option allowing refiners to use the "CARBOB model" in determining whether a batch of California Reformulated Blendstock for Oxygenate Blending ("CARBOB") at the refinery complies with the CaRFG standards. At the present time, a refiner must always determine compliance of such CARBOB by blending in a specified volume of oxygenate and testing the resulting blend. As soon as the amendments become effective, refiners will be able to use the CARBOB model mechanism when producing CARBOB designed to comply with either the CaRFG3 or CaRFG2 standards. While refiners are not required to comply with the CaRFG3 standards until December 31, 2002, section 2261(b)(3) provides a mechanism under which a refiner may have the ARB allow early compliance with the CaRFG3 standards. A refiner has made the necessary demonstration, and on April 9, 2001, ARB Executive Officer Michael P. Kenny issued Executive Order G-01-007 to allow early compliance with the CaRFG3 standards.

At least one California refiner is presently producing significant quantities of CARBOB and has expressed interest in using the CARBOB model mechanism. Making the amendments effective upon filing with the Secretary of State will allow use of the CARBOB model as soon as possible, thereby providing additional flexibility to the regulated public.

The ARB will promptly notify affected refiners and distributors of the effective date as soon as the amendments are filed with the Secretary of State.

Date: July 10, 2001

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