

AGENCY

AIR RESOURCES BOARD

(See instructions on rev.)

For use by Secretary of State only

ENDORSED FILED
 IN THE OFFICE OF

95 AUG -7 PM 3:27

Bill Jones
 RECEIVED

OAL FILE NUMBERS	NOTICE FILE NUMBER 295-0502-10	REGULATORY ACTION NUMBER 95-0728-045	EMERGENCY NUMBER	AGENCY FILE NUMBER (if any)	PREVIOUS REGULATORY ACTION NUMBER
------------------	-----------------------------------	---	------------------	-----------------------------	-----------------------------------

For use by Office of Administrative Law (OAL) only

1995 MAY 2 - '95
 RECEIVED FOR FILING PUBLICATION DATE

1995 JUL 29 AM 3:10

MAY 2 - '95 MAY 12 '95

AD ENDORSED
 APPROVED FOR FILING
 AND PUBLICATION

Office of Administrative Law

AUG 7 1995

NOTICE

REGULATIONS

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. TOPIC OF NOTICE GEN CONTENT OF GASOLINE	TITLE(S) 13	FIRST SECTION AFFECTED 2251.5(c)	2. REQUESTED PUBLICATION DATE MAY 12, 1995
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON W. THOMAS JENNINGS		TELEPHONE NUMBER (916) 322-2884
OAL USE ONLY <input checked="" type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 95, 197		PUBLICATION DATE 5/12/95

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics-related)

TITLE(S) 13	ADOPT
SECTIONS AFFECTED	AMEND 2251.5(c), 2258(c) and 2263(b)
	REPEAL

2. TYPE OF FILING

Regular Rulemaking (Gov. Code, § 11346) Resubmittal Changes Without Regulatory Effect (Cal. Code Regs., title 1, § 100) Emergency (Gov. Code, § 11346.1(b))

Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Government Code §§ 11346.4 - 11346.8 prior to, or within 120 days of, the effective date of the regulations listed above.

Print Only Other (specify)

3. DATE(S) OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs., title 1, §§ 44 and 45)

N/A

4. EFFECTIVE DATE OF REGULATORY CHANGES (Gov. Code § 11346.2)

Effective 30th day after filing with Secretary of State Effective on filing with Secretary of State Effective other (Specify)

5. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY N/A

Department of Finance (Form STD. 399) Fair Political Practices Commission State Fire Marshal

Other (Specify)

6. CONTACT PERSON

W. Thomas Jennings, Senior Staff Counsel

TELEPHONE NUMBER

(916) 322-2884

7. *I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.*

SIGNATURE OF AGENCY HEAD OR DESIGNEE

Tom Cackette

DATE

June 30, 1995

TYPED NAME AND TITLE OF SIGNATORY

Tom Cackette, Chief Deputy Executive Officer

FINAL REGULATION ORDER

Amend Section 2258(c), Title 13, California Code of Regulations, to read as follows:

Section 2258. Oxygen Content of Gasoline in the Wintertime

[no amendments to section (a) or (b)]

(c) Sampling Procedures and Test Methods

Compliance with the oxygen content standards in this regulation shall be determined by use of an applicable sampling methodology set forth in Title 13, California Code of Regulations, section 2296, and use of American Society for Testing and Materials Method ASTM D 4815-93 4815-94, which is incorporated herein by reference. ^{test} Another test method may be used following a determination by the executive officer that the other method produces results equivalent to the results obtained with ASTM D 4815-93 4815-94. CT

[No amendments to sections (d) through (f)]

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

Amend Section 2251.5(c), Title 13, California Code of Regulations, to read as follows:

**Section 2251.5. Reid Vapor Pressure of Gasoline Sold After
January 1, 1992, and Before March 1, 1996.**

[No amendments to section (a) or (b)]

(c) Sampling and Test Methods.

(1) Compliance with the standards set forth in section (a)(1) and (2) shall be determined by use of an applicable sampling methodology set forth in 13 CCR section 2296, and by use of either (A) the American Society for Testing and Materials Method ASTM D 328-58 (which is incorporated by reference herein), deleting paragraph 4(b) concerning sampling or (B) the test method set forth in Section 2297.

(2) For purposes of section (a)(3), the ethanol content of gasoline shall be determined by: (A) Use use of American Society of Testing and Materials Test Method D ~~4815-93~~, 4815-94 (which is incorporated by reference herein) to determine the mass percent of ethanol in the gasoline, and (B) conversion of the concentration of ethanol from percent by mass to percent by volume according to Equation 5 Section 14.3 of ASTM D ~~4815-93~~ 4815-94 using a fuel density of 0.742 gram per milliliter. The volume of ethanol shall include the volume of any denaturant approved for that purpose by the United States Bureau of Alcohol, Tobacco and Firearms, provided those denaturants do not exceed 5 percent of the volume of alcohol (including denaturants).

[No amendments to sections (d) through (f)]

NOTE: Authority cited: Health and Safety Code Sections 39600, 39601, 43013, 43018, 43101, and 43830; and Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975). Reference: Health and Safety Code Sections 39000, 39001, 39002, 39003, 39500, 39515, 39516, 39606, 41511, 43000, 43016, 43018, 43101, and 43830; and Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

Amend section 2263(b), Title 13, California Code of Regulations, to read as follows:

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

* * * *

Section 2263. Sampling Procedures and Test Methods

[No amendments to section (a)]

(b) Test Methods.

(1) In determining compliance with the standards set forth in this subarticle 2, 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
2262.1.	Reid Vapor Pressure	ASTM D 323-58 <u>a/</u> or 13 C.C.R. Section 2297
2262.2.	Sulfur Content	ASTM D 2622-87
2262.3.	Benzene Content	ASTM 3606-87 or ARB MLD 116 <u>b/</u>
2262.4.	Olefin Content	ASTM D 1319-89
2262.5	Oxygen Content	ASTM D 4815-93 <u>4815-94</u>
2262.6.	T90 and T50	ASTM D 86-90
2262.7.	Aromatic Hydrocarbon Content	ARB MLD 116 <u>b/</u>

a/ Delete paragraph 4(b) concerning sampling.

b/ Air Resources Board, Monitoring and Laboratory Division, "Procedure for the Analysis of Benzene and Other Aromatic Components of Gasoline," dated November 1991. This method is to be used instead of ASTM 3606-87 to determine benzene content if ethanol is present.

NOTE: Authority cited: Health and Safety Code Sections 39600, 39601, 43013, 43018 and 43101; and Western Oil and Gas Ass'n. v. Orange County Air

Pollution Control District, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).
Reference: Health and Safety Code Sections 39000, 39001, 39002, 39003,
39010, 39500, 39515, 39516, 39606, 41511, 43000, 43016, 43018, and 43101;
and Western Oil and Gas Ass'n. v. Orange County Air Pollution Control
District, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).