

UPDATED INFORMATIVE DIGEST

AMENDMENTS TO THE REGULATIONS FOR PORTABLE FUEL CONTAINERS

Sections Affected: Amendments to title 13, California Code of Regulations (CCR), sections 2467 and 2467.1.

Background

A portable fuel container (PFC) or “gas can” is used to store and dispense gasoline and other fuels into on and off-road mobile sources. In September 1999, the Air Resources Board (Board) adopted regulations to control emissions from PFCs occurring from three main processes: evaporation of fuel vapors through openings, permeation of fuel through container walls, and spillage during fueling events. The regulations were fully implemented in 2001 and were projected to result in a reduction of about 75 tons per day (tpd) of reactive organic gases (ROG) statewide by 2007.

In implementing the current regulations, ARB staff has identified several manufacturers marketing containers for use with gasoline that were not subject to the regulations. These containers are nearly identical to compliant PFCs except in color. They are sold next to compliant PFCs on the shelves of retail stores and in many instances consumers purchase the containers at a discounted price and fill them with gasoline. This has created safety concerns and slows the sales of low emission PFCs.

Description of Regulatory Action

The Board approved amendments to the definition of a PFC September 15, 2005 to address issues related to the use of non-regulated containers to store and dispense gasoline and other fuels. Based on two recent surveys, ARB staff has revised its estimate of containers used as PFCs in the State to include 350,000 kerosene containers and 1.4 million Utility Jugs (large capacity plastic containers).

This amendment is expected to reduce ROG by 3.2 tons per day (tpd) from Kerosene containers and 13.3 tpd from Utility Jugs by the year 2015. These emission reductions will result from ensuring the containers meet the same requirements as compliant PFCs.

The ARB staff estimates that consumers will pay an average of an additional \$8.50 to purchase a compliant kerosene container or utility jug in lieu of a non-compliant substitute container. This amounts to a price increase of about \$1.70 per year over the five-year useful life of a kerosene container. Utility Jugs are expected to have a useful life greater than five years, their annual costs will be less.

While developing the amendment, ARB staff conducted six public workshops and held over 60 meetings with manufacturers and other interested parties. In addition, ARB staff considered alternatives to the proposal including no action, retaining the current

requirements and adding a consumer education program. The ARB staff determined that adopting the proposal is technologically feasible, cost-effective and provides the greatest benefits to the people of California.

Comparable Federal Regulations

The U.S. EPA is considering national standards for portable fuel containers and has attended meetings and public workshops held by the ARB on this topic. Currently, no comparable federal regulations pertaining to portable fuel containers have been adopted.