

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

**PUBLIC HEARING TO CONSIDER THE AMENDMENTS TO THE REGULATIONS
FOR GASOLINE AND DIESEL FUEL TEST METHODS**

Public Hearing Date: January 25, 2013
Public Availability Date: April 23, 2013
Deadline for Public Comment: May 8, 2013

At its January 25, 2013, public hearing, the Air Resources Board (ARB or Board) approved for adoption the proposed amendments to the California Code of Regulations (CCR), title 13, sections 2262.9, 2263, and 2282. The amendments would add three new test methods for California gasoline, remove one obsolete California gasoline test method, update three existing test methods for California gasoline to the most recently published versions, and update one existing California diesel test method to the most recently published version.

At the hearing, in response to comments received since the Staff Report was published on December 5, 2012, staff presented, and the Board approved modifications to the regulations that were originally proposed in the Staff Report. These modifications include specifying an effective date for the test method changes and adding language to clarify that the new test methods for denatured ethanol are an optional alternative to the existing procedures.

Board Resolution 13-4 approved sections 2262.9, 2263, and 2282 as modified. The resolution and all other regulatory documents for this rulemaking are available online at the following ARB website:

<http://www.arb.ca.gov/regact/2013/diesel2013/diesel2013.htm>

In accordance with the Government Code, section 11346.8, the Board directed the Executive Officer to adopt in the CCR title 13, sections 2262.9, 2263, and 2282, after making them available to the public for comment for a period of at least fifteen days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

Summary of Proposed Modifications

1. In section 2262.9, text was added to clarify that to determine compliance with the denatured ethanol specifications, affected stakeholders could use either the new test methods (ASTM D7576-10 for aromatic hydrocarbons and benzene and ASTM D7347-07e1 for olefins) for the direct measurements of these compounds in denatured ethanol or the existing indirect test procedures for measuring these compounds in the denaturant and applying a dilution factor to determine the concentration in the denatured ethanol. The indirect test procedures specify that the denaturant is tested using the methods specified in section 2263 and the result is multiplied by 0.0500, except where the denatured ethanol is demonstrated to contain less than 5.00 percent denaturant, the result is multiplied by the decimal fraction representing the percent denaturant. If stakeholders perform the direct measurement option, they are not required to perform the indirect test method. However, if stakeholders perform the indirect test method and ARB performs the direct test method, in the event of a discrepancy between these two methods, the results of direct testing the denatured ethanol shall take precedence (note that this provision does not represent a change from the proposal in the staff report);
2. In section 2262.9, the effective date was changed to October 10, 2013, or two months from the date of filing with the Secretary of State, whichever is later, for the implementation of ASTM D7576-10 and ASTM D7347-07e1;
3. In section 2263, the effective date was changed to October 10, 2013, or two months from the date of filing with the Secretary of State, whichever is later, for the exclusive use of ASTM D5453-93 (and elimination of ASTM D2622-94);
4. In section 2263, the effective date was changed to October 10, 2013, or two months from the date of filing with the Secretary of State, whichever is later, for the implementation of ASTM D5580-02(2007), ASTM D6550-10, ASTM D4815-09, and ASTM D7754-11. Likewise, language was added to phase out of the existing methods prior to October 10, 2013, or two months from the date of filing with the Secretary of State, whichever is later;
5. In section 2282, the effective date was changed to October 10, 2013, or two months from the date of filing with the Secretary of State, whichever is later, for the implementation of ASTM D5186-03(2009). Likewise, language was added to phase out of the existing methods prior to October 10, 2013, or two months from the date of filing with the Secretary of State, whichever is later.

Written comments will only be accepted on the modifications identified in this notice and may be submitted by postal mail or electronic mail submittal as follows:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and verbal comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

In order to be considered by the Executive Officer, comments must be directed to ARB in one of the two forms described above and received by ARB by 5:00 p.m., on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format or another language, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alterno u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

Attachment

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see ARB's website at www.arb.ca.gov.