

**Introduced by Senator Huff**

February 19, 2013

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An act to amend Section 43830 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 336, as introduced, Huff. Air pollution: gasoline blends.

Existing law requires the State Air Resources Board to establish, by regulation, maximum standards for the volatility of gasoline sold in California at or below 9 pounds per square inch Reid vapor pressure, as determined by specified testing, except that a blend of gasoline consisting of at least 10% ethyl alcohol, as defined, is exempt, until October 1, 1993, from meeting the volatility standard if the gasoline used in the blend meets the volatility standard for gasoline.

This bill would make a technical, nonsubstantive change to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 43830 of the Health and Safety Code is
- 2 amended to read:
- 3 43830. (a) The state board shall establish, by regulation,
- 4 maximum standards for the volatility of gasoline at or below nine
- 5 pounds per square inch Reid vapor pressure as determined by the
- 6 American Society for Testing and Materials, Test D 323-58, or by
- 7 an appropriate test determined by the state board, for gasoline sold
- 8 in this state.

1 (b) The state board, in adopting the regulations, shall give full  
2 consideration to topography and climatic conditions and may  
3 provide that the standards imposed thereby shall apply in those  
4 areas which the state board determines necessary in order to carry  
5 out the purposes of this division.

6 (c) Notwithstanding any ~~other~~ law or regulation, until October  
7 1, 1993, any blend of gasoline of at least 10 percent ethyl alcohol  
8 shall not result in a violation of any regulation adopted by the state  
9 board pursuant to this section unless the volatility of the gasoline  
10 used in the blend exceeds the applicable standard of the state board.

11 (d) For the purposes of this section, “ethyl alcohol” (also known  
12 as ethanol) means fuel that meets all of the following requirements:

13 (1) It is produced from agricultural commodities, renewable  
14 resources, or coal.

15 (2) It is rendered unsuitable for human consumption at the time  
16 of its manufacture or immediately thereafter.

17 (e) For the purposes of determining the percentage of ethyl  
18 alcohol contained in gasoline, the volume of alcohol includes the  
19 volume of any denaturant approved for that purpose by the United  
20 States Bureau of Alcohol, Tobacco and Firearms, provided these  
21 denaturants do not exceed 5 percent of the volume of alcohol  
22 (including denaturants).

23 (f) From October 1, 1993, to December 31, 1995, inclusive,  
24 any blend of gasoline of at least 10 percent ethyl alcohol shall not  
25 result in a violation of the Reid vapor pressure standard adopted  
26 by the state board pursuant to this section unless it is determined  
27 by the state board on the basis of independently verifiable  
28 automobile exhaust and evaporative emission tests performed on  
29 a representative fleet of automobiles that the blend would result  
30 in a net increase in the ozone forming potential of the total  
31 emissions, excluding emissions of oxides of nitrogen, when  
32 compared to the total emissions, excluding emissions of oxides of  
33 nitrogen, from the same automobile fleet using gasoline that meets  
34 all applicable specifications for Phase I gasoline established by  
35 the state board.

36 (g) On and after January 1, 1996, any blend of gasoline of at  
37 least 10 percent ethyl alcohol shall not result in a violation of the  
38 Reid vapor pressure standard adopted by the state board pursuant  
39 to this section unless it is determined by the state board on the  
40 basis of independently verifiable automobile exhaust and

1 evaporative emission tests performed on a representative fleet of  
2 automobiles that the blend would result in a net increase in the  
3 ozone forming potential of the total emissions, excluding emissions  
4 of oxides of nitrogen, when compared to the total emissions,  
5 excluding emissions of oxides of nitrogen, from the same  
6 automobile fleet using gasoline that meets all applicable  
7 specifications for Phase II gasoline established by the state board.  
8 (h) Notwithstanding subdivisions (f) and (g), at any time that  
9 the state board adopts, by regulation, standards specifying  
10 acceptable levels for emissions of oxides of nitrogen for all  
11 reformulated fuels, any blend of gasoline of at least 10 percent  
12 ethyl alcohol that exceeds those levels no longer qualifies for an  
13 exemption from the Reid vapor pressure standard established by  
14 the state board.

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