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BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

TITLE 13. MOTOR VEHICLES

DIVISION 3. AIR RESOURCES BOARD

CHAPTER 5. STANDARDS FOR MOTOR VEHICLE FUELS

ARTICLE 1. STANDARDS FOR GASOLINE

SUBARTICLE 2. STANDARDS FOR GASOLINE SOLD BEGINNING MARCH 1, 1996

This database is current through 12/26/08, Register 2008, No. 52

§ 2262.9. Requirements Regarding Denatured Ethanol Intended For Use as a Blend Component in California Gasoline.

(a) Standards.

(1) Standards for denatured ethanol. Starting December 31, 2003, no person shall sell, offer for sale, supply or offer for supply denatured ethanol intended for blending with CARBOB or California gasoline that fails to comply with any of the following standards:

(A) Standards for properties regulated by the CaRFG Phase 3 standards.

1. A sulfur content not exceeding 10 parts per million;

2. A benzene content not exceeding 0.06 percent by volume; and

3. An olefins content not exceeding 0.5 percent by volume; and

4. An aromatic hydrocarbon content not exceeding 1.7 percent by volume.

(B) Standards based on ASTM D 4806-99. All test methods and standards identified in the title and the table below are incorporated herein by reference.

<i>Specification</i>	<i>Value</i>	<i>Test method</i>
Ethanol, vol.%, min.	92.1	ASTM D 5501-94(1998)ε1
Methanol, vol.%, max.	0.5	
Solvent-washed gum, mg/100 ml, max.	5.0	ASTM D 381-00, air jet apparatus
Water content, vol.%, max.	1	ASTM E 203-96 or E 1064-00
Denaturant content, vol.%, min.	1.96	
vol.%, max.	5.00^a	
The only denaturants shall be natural gasoline, gasoline components, or unleaded gasoline.		
Inorganic Chloride content, mass ppm (mg/l), max.	40 (32)	Modification of ASTM D512-89(1999), Procedure C^b
Copper content, mg/kg, max.	0.1	Modification of ASTM D1688-95, Test Method A^c
Acidity (as acetic acid), mass % (mg/l), max.	0.007 (56)	ASTM D 1613-96 (1999)
pHe	6.5 - 9.0	ASTM D 6423-99
Appearance	Visibly free of suspended or precipitated contaminants (clean and bright)	Determined at indoor ambient temperature unless otherwise agreed upon between the supplier and purchaser

five.

Note a: The maximum denaturant content limit is changed from 4.76 v% to 5.00 v% to be consistent with ASTM 4806-06c

Note b: The modification of ASTM D 512-89(1999), Procedure C consists of using 5 ml of sample diluted with 20 ml of water in place of the 25 ml sample specified in the standard procedure. The water shall meet ASTM D 1193-99, Type II. The volume of the sample prepared by this modification will be slightly larger than 25 ml. To allow for the dilution factor, report the chloride ion present in the fuel ethanol sample as the chloride ion present in the diluted sample multiplied by

Note c: The modification of ASTM D 1688-95, Test Method A (atomic absorption) consists of mixing reagent grade ethanol (which may be denatured according to the U.S. Bureau of Alcohol, Tobacco, and Firearms (BATF) of the U.S. Treasury Department Formula 3A or 30, as set forth in 27 CFR sections 21.35 and 21.57, as in effect April 1, 2001) in place of water as the solvent or diluent for the preparation of reagents and standard solutions. However, this must not be done to prepare the stock copper solution described in 11.1 of ASTM D 1688-95. Because a violent reaction may occur between the acid and the ethanol, use water, as specified, in the acid solution part of the procedure to pre-

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pare the stock copper solution. Use ethanol for the rinse and dilution only.

(2) Exemption.

(A) Inapplicability of basic standards. The standards in section (a)(1)(A) do not apply to a quantity of denatured ethanol sold, offered for sale, supplied, or offered for supply by a person who demonstrates as an affirmative defense that:

1. The person has complied with section (c)(1)(B); and

2. He or she has taken reasonably prudent precautions to assure that the denatured ethanol will only be added to CARBOB which has been designed to be lawfully oxygenated with denatured ethanol having the properties identified in the document provided pursuant to section (c)(1)(B).

(B) Substitute standards. Starting December 31, 2003, no person shall sell, offer for sale, supply or offer for supply denatured ethanol that is intended for blending with CARBOB or California gasoline and is exempt pursuant to section (a)(2)(A), if the denatured ethanol fails to comply with any of the properties identified in the document provided pursuant to section (c)(1)(B).

(3) Standards for products represented as appropriate for use as a denaturant in ethanol.

(A) Except as otherwise provided in section (a)(3)(B), starting December 31, 2003, no person shall sell, offer for sale, supply or offer for supply a product represented as appropriate for use as a denaturant in ethanol intended for blending with CARBOB or California gasoline, if the denaturant has:

1. A benzene content exceeding 1.10 percent by volume; or

2. An olefins content exceeding 10.0 percent by volume; or

3. An aromatic hydrocarbon content exceeding 35.0 percent by volume.

(B) A person may sell, offer for sale, supply or offer for supply a product that is represented as only suitable for use as an ethanol denaturant in ethanol intended for blending with CARBOB or California gasoline if the denatured ethanol contains no more than a specified percentage of the denaturant that is less than 5.00 percent. In this case, the product must be prominently labeled as only lawful for use as a denaturant where the denatured ethanol contains no more than the specified percentage of the denaturant, and the seller, supplier or offeror must take reasonably prudent precautions to assure that the denaturant will not be used in concentrations greater than the specified percentage in ethanol intended for blending with CARBOB or California gasoline. If these conditions are met, the standards in section (a)(3)(A) for the denaturant will be adjusted by multiplying the stated values by (5.00 Bmax.%), where "max.%" is the maximum percentage by volume of denaturant specified for the denatured ethanol.

(b) Test Methods.

(1) In determining compliance with the denatured ethanol standards in section (a)(1)(A):

(A) The sulfur content of denatured ethanol shall be determined by ASTM D 5453-93, which is incorporated herein by reference.

(B) The aromatic hydrocarbon, benzene and olefins content of denatured ethanol shall be determined by sampling the denaturant and using the methods specified in section 2263 to determine the content of those compounds in the denaturant. The result will then be multiplied by 0.0500, except that where it is demonstrated that the denatured ethanol contains less than 5.00 percent denaturant, the result will be multiplied by the decimal fraction representing the percent denaturant.

(2) In determining compliance with the denaturant standards in section (a)(3), the aromatic hydrocarbon, benzene and olefins content of the denaturant shall be determined by the methods specified in section 2263 for determining the content of those compounds in gasoline.

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(c) Documentation required for the transfer of denatured ethanol intended for use as a blend component in California gasoline.

(1)(A) Starting December 31, 2003, and except as provided in section (c)(1)(B), on each occasion that any person transfers custody or title of denatured ethanol intended for use as a blend component in California gasoline, the transferor shall provide the transferee a document that prominently states that the denatured ethanol complies with the standards for denatured ethanol intended for use as a blend component in California gasoline.

(B) Starting December 31, 2003, on each occasion that any person transfers custody or title of denatured ethanol that is intended to be added to CARBOB designated for blending with denatured ethanol exceeding any of the standards in section (a)(1)(A), the transferor shall provide the transferee a document that prominently identifies the maximum sulfur, benzene, olefin and aromatic hydrocarbon content of the denatured ethanol, and states that the denatured ethanol may only be lawfully added to CARBOB that is designated for blending with denatured ethanol having such properties.

(2) Starting December 31, 2003, any person who sells or supplies denatured ethanol intended for use as a blend component in California gasoline from the California facility at which it was imported or produced shall provide the purchaser or recipient a document that identifies:

(A) The name and address of the person selling or supplying the denatured ethanol, and identification of the person as the producer or importer of the denatured ethanol; and

(B) With respect to imported denatured ethanol, the

name, location and operator of the facility(ies) at which the ethanol was produced and at which the denaturant was added to the ethanol. As an alternative, the document provided to the purchaser or recipient may identify the date and time the ethanol was supplied from its import or production facility, and state that the person selling or supplying the denatured ethanol from the California facility at which it was imported or produced maintains at the facility a list of the name, location, and operator of all of the facility(ies) at which the ethanol was produced and at which the denaturant was added to the ethanol. In this case, the person shall for at least two years maintain such information, and records identifying the entities that produced the ethanol and added the denaturant in each batch of denatured ethanol imported to the facility; during that two year period, the person shall make the information and records, available to the Executive Officer within five days after a request for the material.

<General Materials (GM) - References, Annotations, or Tables>

Note: Authority cited: [Sections 39600, 39601, 43013, 43013.1, 43018 and 43101, Health and Safety Code](#); and [Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District, 14 Cal.3d 411, 121 Cal.Rptr. 249 \(1975\)](#). Reference: [Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43013.1, 43016, 43018, 43101 and 43830.8, Health and Safety Code](#); and [Western Oil and Gas Ass'n. v. Orange County Air Pollution Control District, 14 Cal.3d 411, 121 Cal.Rptr. 249 \(1975\)](#).

HISTORY

1. New section filed 8-20-2001; operative 8-20-2001 pursuant to [Government Code section 11343.4](#) (Register 2001, No. 34).

2. Amendment filed 12-24-2002; operative 12-24-2002 pursuant to [Government](#)

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[Code section 11343.4](#) (Register 2002, No. 52).

3. Amendment of subsections (a)(1), (a)(1)(A)2.-3., (a)(3)(A)1.-3. and (c)(2)(A)-(B) filed 3-10-2005; operative 4-9-2005 (Register 2005, No. 10).

4. Amendment of table and table footnotes and subsections (a)(3)(B) and (b)(1)(B) filed 8-29-2008; operative 8-29-2008 pursuant to

[Government Code](#)

[section 11343.4](#) (Register 2008, No. 35).

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