



Guidance to Parties Submitting Gasoline Sulfur Baseline Applications

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Transportation and Regional Programs Division
Office of Air Transportation and Air Quality
U.S. Environmental Protection Agency

NOTICE

*This technical report does not necessarily represent final EPA decisions or positions.
It is intended to present technical analysis of issues using data which are currently available.*

*The purpose in the release of such reports is to facilitate the exchange of
technical information and to inform the public of technical developments which
may form the basis for a final EPA decision, position, or regulatory action.*

The following guidance applies to any party applying for a baseline in the context of early credit generation, small refinery status, application for Geographic Phase-In Area (GPA) standards, or temporary hardship relief under EPA's gasoline sulfur regulations. This guidance deals only with establishment of a baseline. Where necessary, EPA will provide guidance on other aspects of any of these applications in the future .

EPA's regulations require refiners seeking to establish a sulfur baseline to apply by:

- September 30 of the year in which the refiner intends to first generate credits
- December 31, 2000, for refiners who plan to sell gasoline in the GPA
- September 1, 2000, for refiners who seek temporary hardship relief
- December 31, 2000, for refiners seeking small refiner status approval

The baseline application must include the following information for each batch of gasoline produced in 1997-1998: batch number, year produced, volume (gallons), and sulfur content (ppm by weight). Batch reports for gasoline designated by the refiner for use in California are not required to be submitted under the RFG program and should not be included in sulfur baseline calculations, if such gasoline meets the requirements of 40 CFR 80.375.

In order to make submission of the data as easy as possible for both reporting parties and EPA, we request that the information be provided in electronic format using any of the major spreadsheet software applications available. These include Microsoft Excel, Corel Quattro Pro, or Lotus 123. **Spreadsheet templates are available in several different versions of these software packages on EPA's Web site at: <http://www.epa.gov/otaq>.** If you have any special problems utilizing the spreadsheet format, please contact the EPA staff person listed below. Spreadsheet files should be named by the 5-digit EPA facility ID. (e.g., an Excel file for facility ID 54321 should be named "54321.xls".) If a company chooses, all facilities for that company may be included on several pages of the same spreadsheet. If you use this approach, the spreadsheet pages should be named using the facility ID and the filename should be the 4-digit company ID. (e.g., a Lotus spreadsheet file using such an approach for company ID 4321 should be named "4321.123".)

Not all RFG/Antidumping batch reports (Forms 3520-20C and 3520-20F) reported to the Agency should be included in the production of a sulfur baseline. EPA's regulations at 40 CFR 80.295 provide for calculation of a refinery's sulfur baseline using the sulfur content (ppm by weight) and volume (gallons) of each batch of gasoline produced during 1997-1998. Although previously certified gasoline, which by definition has already been included in a compliance calculation, should not be counted for purposes of calculating a baseline, gasoline added to previously certified gasoline must be accounted for in the sulfur baseline. Therefore, only one of the three "Previously Certified Gasoline" batch report forms (Form 3520-20F) : the one checked as "calculated," which represents the gasoline added to the previously certified gasoline, is appropriate to include in the computation of a sulfur baseline. Gasoline blendstocks are not included separately in baseline calculations, although the gasoline produced through blending of blendstocks is included. Batch reports (Form 3520-20C) checked as "blendstocks" (including Gasoline Treated as Blendstock (GTAB) and conventional blendstock) under the RFG/antidumping reporting program should not be included in the calculation of a sulfur baseline. However, conventional blendstock Equivalent Emissions Performance (EEP) reports for oxygenates blended downstream from a refining facility and included in that facility's baseline compliance reports for 1997-1998 must be included in the sulfur baseline calculations.

Spreadsheets should be submitted as electronic files on 1.4 megabyte floppy disks along with a letter from the appropriate corporate officer described in the regulations at § 80.290(c)(3) . The letter should reference by name and EPA RFG reporting number the facilities covered by the data on the electronic disk and include the other information required in section § 80.290(c)(3). If you have already submitted your baseline, you will be contacted if any change in format or additional information is needed.

EPA Contact:

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(202)564-9303
Fax: (202)565-2085
Email: caldwell.jim@epa.gov

If sent by U.S. mail, the sulfur baseline request should be sent to:

U.S. EPA
Attn: Sulfur Program (6406J)
1200 Pennsylvania Ave. NW
Washington, DC 20460

If sent by an overnight or courier service, the sulfur baseline request should be sent to:

U.S. EPA
Attn: Sulfur Program - Jim Caldwell
501 Third Street, NW
Washington, DC 20001
Phone: (202)564-9303

Executive Order 13132, entitled “Federalism” (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in the Executive Order to include regulations and regulatory policies that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.”

This guidance document does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. It covers the procedures to follow in submitting data on the sulfur content of gasoline. Thus, the requirements of section 6 of the Executive Order do not apply to this guidance document.