



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



November 1, 1988

Legislative Regulations Review Committee
Legislative Office Building
Capitol Avenue
Hartford, CT 06106

Ladies and Gentlemen:

Pursuant to Section 4-170 of the Connecticut General Statutes, I submit for your consideration and approval the enclosed amendment to the Regulations of Connecticut State Agencies. Notice of intent to amend this regulation was published in the Connecticut Law Journal on May 31, 1988. A copy of the notice is enclosed with this proposed regulation along with a fiscal note and summary of the comments received at the public hearing.

This regulation sets restrictions on the Reid Vapor Pressure of gasoline during the warm weather season. This will reduce the losses from evaporation and lower the level of air pollution here in Connecticut.

If there are any questions on this proposal, please feel free to contact Robert Moore at 566-4007. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Carothers".

Leslie Carothers
Commissioner

LAC/F/pf

Phone:

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STATE OF CONNECTICUT
REGULATION
 OF

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

NAME OF AGENCY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

Concerning

SUBJECT MATTER OF REGULATION
 Abatement of Air Pollution

SECTION 1

Subsection (a) of section 22a-174-20 of the Regulations of Connecticut State Agencies is amended to read as follows:

(a) Storage of "volatile organic compounds" AND RESTRICTIONS FOR THE REID VAPOR PRESSURE OF GASOLINE.

(a)(1) Definitions. For the purpose of this section:

"Approved control system" means, a vapor balance system or a vapor recovery system.

"Delivery vehicle" means a tank truck, tank-equipped trailer, railroad tank car, or other "mobile source" equipped with a storage "tank" used for the transportation of gasoline from "sources" of supply to ANY stationary storage [tanks] "TANK".

"Dispensing facility" means any site where gasoline is delivered to motor vehicles other than agricultural vehicles from any stationary storage "tank" with a capacity of 250 gallons or more.

"Gasoline" means any petroleum distillate having a reid vapor pressure of four pounds or greater and used as a motor vehicle fuel.

"GASOLINE STORAGE TANK FARM" MEANS A "PREMISE" WITH ANY INDIVIDUAL "GASOLINE" STORAGE "TANK" WITH A CAPACITY EQUAL TO OR GREATER THAN FORTY THOUSAND (40,000) GALLONS.

"REID VAPOR PRESSURE" OR "RVP" MEANS THE VAPOR PRESSURE OF A LIQUID IN POUNDS PER SQUARE INCH ABSOLUTE AT ONE HUNDRED (100) DEGREES FAHRENHEIT AS DETERMINED BY AMERICAN SOCIETY FOR TESTING AND MATERIALS METHOD D323-82 "STANDARD METHOD FOR VAPOR PRESSURE OF PETROLEUM PRODUCTS (REID METHOD)".

"Throughput" means the number of gallons delivered through all equipment at a dispensing facility or a loading facility over a specified time interval.

"Vapor balance system" means a combination of pipes or hoses which create a closed connection between the vapor spaces of an unloading "tank" and receiving "tank" such that vapors displaced from the receiving "tank" are transferred to the "tank" being unloaded. The complete system as a whole and not just the individual components shall have been tested and approved by a nationally recognized testing laboratory.

"Vapor recovery system" means a device or system of devices with attendant valves, fittings, piping, and other appurtenances incorporating a means for the incineration of vapors or the liquefaction of vapors by absorption, adsorption, condensation or other means. The complete system as a whole and not just the individual components shall have been tested and approved by a nationally recognized testing laboratory.

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SECTION 1

(a)(2) No "person" shall place, store or hold in any stationary "tank", reservoir or other container of more than 40,000 gallons (150,000 liters) capacity any "volatile organic compound" with a vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions unless the "tank", reservoir or other container is a pressure "tank" capable of maintaining working pressures sufficient at all times to prevent vapor or gas loss to the atmosphere or is designed, and equipped, with one of the following vapor loss control devices:

- (A) A fixed roof and a floating roof, consisting of a pontoon type, double deck type roof or internal floating cover, which will rest on the surface of the liquid contents and be equipped with a closure seal or seals to close the space between the roof edge and "tank" wall. This control equipment is not permitted if the "volatile organic compound" has a vapor pressure of 11.0 pounds per square inch absolute (568 mm. Hg), or greater under actual storage conditions. All "tank" gauging or sampling devices must be gas-tight except when "tank" gauging or sampling is taking place.
- (B) A vapor recovery system.
- (C) Other equipment or means of equal efficiency for purposes of "air pollution" control as may be approved by the "Commissioner" BY PERMIT OR ORDER.
- (D) On or after June 1, 1985 a floating roof, consisting of a pontoon type, double deck type roof or external floating cover, which will rest on the surface of the liquid contents and be equipped with primary and secondary closure seals to close the space between the roof edge and the tank wall. This control equipment is not permitted if the volatile organic compound has a vapor pressure of 11.0 pounds per square inch absolute (568 mm. Hg), or greater under actual storage conditions. All tank gauging or sampling devices must be gas-tight except when tank gauging or sampling is taking place. The owner or operator of any tank subject to this provision shall ensure that:
 - (i) There are no visible holes, tears or other openings in any seal fabric;
 - (ii) Any seal is intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall;
 - (iii) The total area of gaps exceeding 0.125 inches in width between the secondary closure seal and the tank wall does not exceed 1.0 square inch per foot of tank diameter;
 - (iv) A secondary closure seal gap measurement as specified in (iii) above is made annually;
 - (v) A visual inspection of the secondary closure seal is conducted semi-annually;
 - (vi) Rim vents are set to open when the roof is on the roof leg supports; and
 - (vii) Any emergency roof drain is provided with a slotted fabric cover which covers at least ninety percent (90%) of the area opening.

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DEPARTMENT OF ENVIRONMENTAL PROTECTIONSECTION 1

(a)(3) No "person" shall place, store, or hold in any stationary storage vessel of more than 250-gallon (950 liter) capacity any "volatile organic compound" with a vapor pressure of 1.5 pounds per square inch or greater under actual storage conditions unless such vessel is equipped with a permanent "submerged fill pipe" or is a pressure "tank" as described in subsection [(a)(1)] 22a-174-20(a)(2).

(a)(4) The provisions of subdivision [(a)(3)] 22a-174-20(a)(3) shall not apply to the loading of "volatile organic compounds" into any storage vessel having a capacity of less than one-thousand (1,000) gallons which was installed prior to June 1, 1972, nor to any underground storage vessel installed prior to June 1, 1972, where the fill pipe between the fill connection and the storage vessel is an "offset fill pipe".

(a)(5) BETWEEN MAY 1 AND SEPTEMBER 15 THE OWNER OR "OPERATOR" OF ANY "GASOLINE STORAGE TANK FARM" SHALL NOT OFFER FOR SALE, SELL OR DELIVER TO ANY "DISPENSING FACILITY" IN CONNECTICUT "GASOLINE" WITH A "REID VAPOR PRESSURE" IN EXCESS OF 9.0 POUNDS PER SQUARE INCH.

(a)(6) IN ADDITION TO THE REQUIREMENTS OF SECTION 22a-174-4, THE "COMMISSIONER" MAY BY PERMIT OR ORDER REQUIRE THE OWNER OR "OPERATOR" OF ANY "GASOLINE STORAGE TANK FARM" TO PROVIDE RECORDS OF THE ANALYSIS OF "GASOLINE" SAMPLES TO DETERMINE COMPLIANCE WITH THE PROVISIONS OF SUBDIVISION 22a-174-20(a)(5).

(a)(7) ANY "PERSON" WHO SAMPLES OR TESTS "GASOLINE" FOR THE PURPOSES OF DETERMINING COMPLIANCE WITH SUBDIVISION 22a-174-20(a)(5) SHALL USE THE FOLLOWING AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM) TEST METHODS:

- (A) ASTM METHOD D323-82, "STANDARD METHOD FOR VAPOR PRESSURE OF PETROLEUM PRODUCTS (REID METHOD)";
- (B) ASTM METHOD D4057-81, "STANDARD PRACTICE FOR MANUAL SAMPLING OF PETROLEUM AND PETROLEUM PRODUCTS"; OR
- (C) ASTM METHOD D270 "STANDARD METHOD OF SAMPLING OF PETROLEUM AND PETROLEUM PRODUCTS".

STATEMENT OF PURPOSE: To adopt controls on the vapor pressure of gasoline during warm weather to reduce evaporative losses from motor vehicles.

CERTIFICATION
R-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 22a-174 of the General Statutes.

Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on May 31, 19 88, of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on 30th day of June 19 88

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The _____ day of _____ 19 _____.

In Witness Whereof:	DATE <u>10/7/88</u>	SIGNED (Head of Board, Agency or Commission) <i>[Signature]</i>	OFFICIAL TITLE, DULY AUTHORIZED Commissioner
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Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:	SIGNED <i>[Signature]</i>	OFFICIAL TITLE, DULY AUTHORIZED Dep Atty Gen
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OCT. 19 1988

Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.	DATE <u>12/20/88</u>	SIGNED (Clerk of the Legislative Regulation Review Committee) <i>[Signature]</i>
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED (Secretary of the State.)	BY
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INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

AGENCY SUBMITTING REGULATION Environmental Protection DATE 11/1/88

SUBJECT MATTER OF REGULATION Reid Vapor Pressure of Gasoline.

REGULATION SECTION NO. 22a-174-20(a) STATUTORY AUTHORITY 22a-174

OTHER AGENCIES AFFECTED All other Agencies which use gasoline

EFFECTIVE DATE USED IN COST ESTIMATE May 1, 1989

ESTIMATE PREPARED BY Phil Florkoski TELEPHONE 566-5024

SUMMARY OF STATE COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency Environmental Protection Fund Affected General

	First Year 19 <u>89</u>	Second Year 19 <u> </u>	Full Operation 19 <u> </u>
Number of Positions	0		
Personal Services	0		
Other Expenses			
Equipment			
Grants			
Total State Cost (Savings)	*		
Estimated Revenue Gain (Loss)			
Total Net State Cost (Savings)	(**)		

EXPLANATION OF STATE IMPACT OF REGULATION:

* There may be some saving as a result of the increase in miles per gallon vehicles will obtain.

** Cost of regulation is estimated to increase the price of gasoline by \$.02 - \$.03 per gallon. Information from DOT and State Police shows that fuel use during the May 1 - September 15 period is 2,798,826 gallons. At 2-3 ¢ per gallon the estimated cost is: \$55,976 to \$83,964 per year.

EXPLANATION OF MUNICIPAL IMPACT OF REGULATION :

Cost will vary by gasoline use in each town.

DEPARTMENT OF ENVIRONMENTAL PROTECTION**Notice of Intent to Amend Regulations and to
Revise the State Implementation Plan for Air Quality**

The Commissioner of Environmental Protection hereby gives notice of a public hearing as part of a rulemaking proceeding. The purpose of this proceeding is to amend the Regulations of Connecticut State Agencies concerning abatement of air pollution. The amended regulations along with narrative materials will be submitted to the U.S. Environmental Protection Agency (EPA) for their review and approval as a revision to the State Implementation Plan for air quality (SIP). The public hearing will cover the following topic and proposed revisions to the Regulations of Connecticut State Agencies:

To amend the Regulations of Connecticut State Agencies concerning Abatement of Air Pollution to require that gasoline sold during the period from May 1 to September 15 each year have a Reid-Vapor Pressure of 9.0 pounds per square inch or less. This specification for gasoline is consistent with the standard fuel required by the U.S. Environmental Protection Agency as part of the certification program for motor vehicles under the Clean Air Act.

All interested persons are invited to express their views and arguments on the proposed revision and regulations. Comments should be submitted to the Air Compliance Unit, Room 144, State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106. All comments must be received by July 15, 1988.

In addition to accepting written comments, the DEP will also hold the public hearing described below. Persons appearing at the hearing are requested to submit a written copy of their statement. However, oral comments will also be made part of the record and are welcome.

June 30, 1988 at 10:00 a.m.
Room 1-B of the Legislative Office Building
Capitol Avenue, Hartford, Connecticut

Copies of the materials listed above will be available for public inspection during normal business hours at the Air Compliance Unit at the above address beginning on November 17, 1987. Additional copies will also be available at the New London Public Library, Torrington Public Library and at the main branch of the Bridgeport Public Library. For further information contact Phil Florkoski of the Air Compliance Unit at 566-5024.

The authority to adopt this plan and regulations is granted by sections 22a-6 and 22a-174 of the Connecticut General Statutes (CGS). This notice is required by 4-168 and 22a-6 CGS and Title 40 Code of Federal Regulations Part 51.4.

LESLIE CAROTHERS
Commissioner



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



SUMMARY OF REGULATION

The purpose of this regulation is to place a limit on the Reid Vapor Pressure of the gasoline sold in the State from May 1, to September 15, each year. The Reid Vapor Pressure is a physical property of gasoline which measures the rate at which the fuel will evaporate. The standard of 9.0 pounds per square inch is identical to the specification used by the U. S. Environmental Protection Agency and by motor vehicle manufactures when vehicles are tested for compliance with the standards of the Clean Air Act. This standard is consistent with similar requirements that have been adopted by New York and other New England states.

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STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



REGULATIONS FOR THE CONTROL OF REID VAPOR PRESSURE OF GASOLINE

SUMMARY OF COMMENTS
and
RESPONSE TO COMMENTS

Comment: Roger Boucher of the Independent Connecticut Petroleum Association (ICPA) asked that the standards be similar to those in the rest of the region.

Response: Identical standards and dates have either been adopted or proposed in Massachusetts, Rhode Island, Maine, Vermont, New York and New Jersey. DEP agrees that in order for this program to be effective and easily implemented all the states need the same standards.

Comment: Roger Boucher (ICPA) expressed concerns regarding the cost to consumers. Laurel Carlson, Massachusetts DEQE and William Schaefer, Connecticut Fund for the Environment (CFE) estimated cost increase of one and one-half to two cents a gallon but Laurel Carlson noted that the cost will be spread among those who purchase fuel and thus contribute to the problem.

Response: Cost increase expected to be less than three cents per gallon for lower RVP fuel during the summertime based on DEP consultant's report.

Comment: Roger Boucher (ICPA) asked that blending be permitted to meet RVP standards.

Response: DEP notes that there will be no restrictions on the ability to blend down gasoline to meet RVP standards.

Comment: Roger Boucher (ICPA) had concerns about the compatibility of lower RVP fuel with underground tank systems.

Response: There is no indication that areas such as California which require the use of lower RVP fuel have had any tank problems as a result of using lower RVP fuel.

Comment: Roger Boucher, ICPA stated that his association is on record as being opposed to Stage II vapor recovery. William Schaefer, CFE urged the adoption of Stage II vapor recovery now.

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Response: Regulations requiring Stage II vapor recovery are not part of this proceeding.

Comment: Laurel Carlson, Massachusetts DEQE and Nancy Seidman, NESCAUM indicated that lower RVP fuel would not have an adverse impact on driveability. William Shaefer, CFE noted that California has a lower RVP standard and that there have not been any reports of adverse driveability.

Response: DEP has reviewed their information along with the recommendations of our consultant and agrees that there will not be an adverse impact on driveability in Connecticut.

Comment: Nancy Seidman, NESCAUM listed three advantages for this program:

- 1) Substantial Reductions of hydrocarbon emissions sooner than any other stationary source or mobile source control strategy.
- 2) Larger and more cost effective emission reductions than other ozone control strategies.
- 3) Reduces emissions region-wide resulting in reduced transport of ozone and ozone precursors.

Response: DEP agrees and these facts are consistent with the recommendations of our consultant.

Comment: Nancy Seidman, NESCAUM provided a copy of a report by the Center for Automotive Safety concerning the impact of lower RVP fuel on the potential for automotive fires.

Response: DEP has reviewed this report and concurs with the conclusions that increases in the RVP of fuel has lead to an increase in automotive fires.

Comment: Peter Hagerty, EPA Region I suggested the use of "Gasoline Storage Tank Farm" instead of "Gasoline Bulk Plant or Terminal" to show a distinction between plant and terminal similar to that found in EPA's Control Technology Guidelines.

Response: Agree with the comment and the suggested change has been made.

Comment: Peter Hagerty, EPA Region I questioned whether or not the regulation would be submitted as an amendment to the State Implementation Plan (SIP) for air quality which would (if approved by

EPA) prevent the preemption of this regulation under the Clean Air Act should EPA adopt a nationwide program.

Response: The DEP does intend to submit the final approved regulation as part of the SIP. A proposed amendment was sent to Region I EPA and appropriate federal notice requirements were followed for this proceeding.

Comment: William Schaefer, CFE was disappointed that a requirement for lower RVP was not in place for the summer of 1988.

Response: Due to the amount of time necessary to propose and adopt a regulation none of the states in the Northeast could provide the lead time needed by industry to make the change over for 1988.

Comment: Thomas Fitzpatrick, Connecticut Petroleum Council (CPC) asked if lowering the RVP of fuel would result in changes in other ASTM specifications.

Response: No information regarding that possibility was presented at this hearing and a review of the records from other northeast states also does not provide any information to that respect.

Comment: Thomas Fitzpatrick, CPC expressed concern that the market for off-spec and therefore cheaper gasoline might develop.

Response: The purpose of having all the states in the Northeast adopt regulations to reduce the RVP of summertime fuel with identical standards (ie. 9.0 RVP from May 1 to September 15) is to ensure all fuel sold in the region would be subject to the same requirements and the cost of transporting fuel from outside the region would offset the any savings that may result from a cheaper fuel being available. Also, under the proposed enforcement procedures the records of all sales will be available for review allowing the DEP to trace the origin of the material being offered for sale.

Comment: Thomas Fitzpatrick, CPC asked if a waiver could be granted in the event of a gasoline shortage and if federal approval would be necessary.

Response: Under Connecticut's Administrative Procedures Act there are provisions for the Governor to take emergency action on regulations. Such action could be taken while a request is under consideration by EPA.

Comment: A. E. McCluskey, Mobil Oil also representing the American Petroleum Institute expressed concern about the disruption of the current production and distribution system and that transportation and storage times would increase resulting in driveability problems.

Response: The basecase used was a spring to summer changeover giving the number of tank turnovers needed to make the change. This process was extrapolated to the situation of a changeover from a winter fuel directly to a lower RVP summer fuel. This resulted in the predicted increase in the number of tank turnovers needed to change to lower RVP fuel. No information was presented as to why there would be an elimination of the springtime grade of fuel. The expected temperatures in Connecticut during early spring should not create driveability problems even if summertime fuel were to make its way into the consumer's automotive fuel tank during March. The Department's consultant report indicates that although the date imposes a fairly tight schedule on refiners it does not appear to impose an undue hardship.

Comment: W. J. Koehl, Mobil Research and Development Corporation presented a discussion regarding driveability impacts of lower RVP fuel based on a study of older vehicles in Portland, Maine during March. This included supplemental information on the historic trend of RVP, differences between Connecticut and California and potential of increases in Carbon Monoxide emissions.

Response: The potential for negative impacts on driveability are based on the assumption all the necessary negative factors will occur simultaneously. The main assumption is that lower RVP fuel would have to be delivered in March and that it would immediately be available for consumers to purchase at a local service station. The DEP expects that some blending down (ie. mixing of higher RVP fuel with the fresh lower RVP fuel) will naturally occur. In addition the temperatures, fuels and vehicles used in the study in Maine are not representative of the conditions existing in Connecticut. The historic trend of summertime RVP shows an increase in RVP over the past years which is why there is a need for this type of a program. The major distinction between Connecticut and California is in the lead time for the fuel distribution system. However, the 28 to 35 day period for California falls between the 20 to 25 day lower and 50 to 60 upper estimates for Connecticut. The potential increase in Carbon Monoxide tailpipe emissions is less than two percent and no information is given that this in turn will result in any adverse ambient impact. In addition, Carbon Monoxide problems generally occur in Connecticut under even lower ambient temperature than those expected during the early spring.

Comment: Jack Freeman, Sun Refining and Marketing Company (Sun) discussed the impact on evaporative emissions of replacing the butane component of gasoline (having low photochemical reactivity) with

aromatic hydrocarbons (having higher photochemical reactivity). He stated that although RVP reductions decrease evaporative emissions, the reduction would not be expected to reduce peak ozone concentrations.

Response: The DEP agrees that evaporative emissions will be lowered as RVP is lowered. Because of the complex nature of photochemical reactions it is difficult to predict real world impacts of changes in gasoline formulations. However, a review of the information in EPA's draft proposal for RVP regulations shows that butane is a contributor to ozone concentrations found at ground level. As such, this program will reduce overall ozone concentrations on a regional basis rather than on the local level.

Comment: Jack Freeman, Sun showed the consequences for tailpipe emissions using Indolene Plus (a doctored form of the fuel used for EPA certification tests). Under the Federal Test Procedure there was an increase in unburned hydrocarbon emissions.

Response: Any increase in tailpipe emissions will be more than offset by reductions in evaporative losses. Reductions in losses as a result of lower RVP fuel may be even greater than originally predicted based upon information which has recently become available regarding running losses (evaporative emissions while the vehicle is in motion) showing that the running losses may be a larger component than the tailpipe emissions.

Comment: Jack Freeman, Sun and J. E. McKeever, Mobil Oil Corporation suggested that it is not cost effective for the RVP of summertime gasoline should not go below 10.5 psi.

Response: As shown in Table VI of our consultants report it is more costly to go from RVP 10.5 psi to RVP 9.0 psi. However, as also shown in that table, the incremental cost is still more cost effective than any other strategy available at this time for vehicle refueling or stationary source control.

Comment: W. C. McLeod, Texaco Inc and U V Henderson Jr, Texaco Inc suggested waiting for the EPA to regulate RVP on the federal level

Response: EPA's proposed regulation of RVP 9.0 psi fuel would not go into effect until 1992 under their 1987 draft regulation. EPA has tied this regulation to the resolution of other programs. It can be expected that if the EPA regulation does go final in the future that the 1992 date will have to be pushed farther into the future. With Connecticut's continued nonattainment status beyond the 1987 date under the Clean Air Act, the DEP needs to implement effective reduction strategies as soon as practicable.

Comment: W. C. McLeod, Texaco Inc and U V Henderson Jr, Texaco Inc disagreed with the cost estimates in DEP's background document because it was based on the Bonner & Moore study performed for EPA which has been criticized by industry and argued that costs would be significantly higher if Connecticut were the only state in the northeast to adopt lower RVP regulations.

Response: The DEP stands by the background document in that the Bonner & Moore report was only one of many references used in the preparation of the report. It is true that state specific programs cost more. However, three other states in New England (Massachusetts, Rhode Island and Maine) have already adopted identical standards and four other states in the northeast have proposed identical standards (ie. 9.0 RVP from May 1, to September 15).

Comment: Marilyn Herman, Herman & Associates for the Renewable Fuels Association commented on the impact of the proposed regulations on ethanol-blended fuels. She suggested three alternatives which would permit the marketing of these types of fuel.

- 1) Use an approach similar to Massachusetts DEQE which exempts mixtures of 10% or greater simple alcohol.
- 2) Require that only the gasoline component and not the final product meet the 9.0 psi RVP standard.
- 3) Provide ethanol blended fuels a 10.0 psi standard.

Response: The DEP feels that it would be more appropriate to deal with this issue as part of an alternative fuels program for the control of Carbon Monoxide rather than in this regulation. No changes in the definition of gasoline should be made at this time without a more thorough review of all the issues. Without further documentation of the need for the additional 1.0 psi for alcohol fuels no recommendation can be made. It would appear at a minimum that the regulation as proposed will restrict the gasoline component of alcohol fuel to the RVP 9.0 psi standard. This restriction is consistent with the proposed requirements under consideration by the United States Congress (S. 1894 and H.R. 3054).

Comment: U V Henderson Jr, Texaco Inc commented that this proposal is unnecessary since Congressional action has suspended imposition of sanctions under the Clean Air Act until September.

Response: Unless there is further action by the Congress to reauthorize the Clean Act Act, EPA policy guidance will require additional action by Connecticut to achieve further reductions. Controls on the RVP of gasoline would be required in any event.

Comment: U V Henderson Jr, Texaco Inc stated that only small VOC reductions should be anticipated.

Response: Regardless of the absolute number, the reductions from this program represent a significant reduction from the remaining categories of uncontrolled sources.

Comment: U V Henderson Jr, Texaco Inc stated that a 2.5 psi reduction in RVP will decrease gasoline volume by about five percent, or 33 million gallons in Connecticut alone and that to make up this decrease in volume there would very likely be an increase in foreign imports.

Response: No estimates of the increase in imports were given. Typical fluctuations in the market place already account for even larger changes than the five percent figure. All the states in New England along with New York have similar distribution patterns. The market for this type of fuel will be the entire northeast and not just Connecticut.

Comment: U V Henderson Jr, Texaco Inc asked that cost impacts on the Gas Processing Industry be taken into account.

Response: This information was factored into the reports which were used as a basis for the decision to propose this strategy.