

## Focus on Fuels

### In This Issue

#### TM&C Services

The more things change,  
the more they stay the  
same.....or change.



**Charlie Miller, P.E.**  
**Senior Vice President**

**TM&C Services in Fuel  
Regulations**

April 2014

Volume 4, Issue 4

Tier 3 is finally upon us; at least, the unofficial version of the Final Rule is available on the EPA website. (<http://epa.gov/otag/tier3.htm>) The Final Rule should appear in the Federal Register soon, which will start the countdown for some of the regulations to take effect. The best way to describe this rule is;

**The more things change, the more they stay the  
same.....or change.**

*by Charlie Miller*

For refiners and importers, the new Tier 3 gasoline sulfur regulations basically mean that beginning January 1, 2017, their gasoline production must meet an annual average 10 ppm sulfur standard.

Other requirements remain similar to the Tier 2 standards. The per-gallon cap remains at 80 ppm at the refinery gate and 95 ppm downstream. California gasoline and exported gasoline are not included in the sulfur compliance calculations. Refineries or importers who can take advantage of downstream oxygenate blending will still be able to do so, but at a reduced level. Most will probably use the default sulfur level of 5 ppm for the volume of

TM&C provides a full range of services in its fuels regulatory practice. Some of these services are listed below:

- Preparing, reviewing and submitting fuels reports, including CDX submissions.
- Facility audits for compliance with fuels programs.
- Interaction with EPA to pose fuels related questions.
- Industry specialist assistance for required gasoline attestations.
- Industry specialist assistance for in-line blending audits.
- Assistance in setting up a fuels compliance group/program.
- Personnel reviews of compliance related groups.
- Compliance status reviews and recommendations.
- Negotiations/consultation during EPA enforcement actions.
- 3rd Party Engineering reviews.
- Due diligence reviews of facilities and companies in RFS RINs Program.

denatured fuel ethanol (DFE) added - for both CBOB and RBOB. The inclusion of the DFE in compliance calculations is only available to the facility that certifies the gasoline.

To make the sulfur transition easier, there is no specific early sulfur credit program. Instead, sulfur credits generated under the Tier 2 program can be used for compliance under the Tier 3 program for the three years 2017 - 2019, subject to the standard 5 year limitation.

Downstream Butane and Pentane blending will have to meet new regulatory sulfur levels. Within 60 days of the publication date in the Federal Register, Pentane must meet a 30 ppm sulfur maximum. Beginning January 1, 2017, both Butane and Pentane blended downstream must meet a 10 ppm sulfur maximum.

Gasoline additive manufacturers must be able to demonstrate that their additives do not increase the sulfur level of gasoline by more than 3 ppm when used at the full recommend concentration.

More companies and facilities will have to register with the EPA-producers and importers of blending grade pentanes, and producers and importers of DFE and other oxygenates. Those already registered do not have to re-register.

Sulfur must be measured using a performance based method beginning January 1, 2016. For the other properties, a facility wishing to use a test method other than the approved EPA method can switch to performance based testing beginning January 1, 2016.

Of course, it's always the details.....

---

**Turner, Mason & Company** |  
CONSULTING ENGINEERS

2100 Ross Ave, Suite 2920  
Dallas, TX 75201  
Phone: 214-754-0898  
Fax: 214-754-5915  
[www.turnermason.com](http://www.turnermason.com)