



# Arizona Department of Agriculture

Weights and Measures Services Division  
1688 W. Adams Street, Phoenix, Arizona 85007  
Metrology Laboratory: 4425 W. Olive Avenue, Glendale, AZ 85302  
(602) 542-4373 FAX: (623) 939-8586

April 22, 2020

To the Regulated Industry,

On March 31, 2020, the Weights and Measures Services Division issued a letter regarding the Division's enforcement for the delivery and sale of gasoline in Arizona that does not meet vapor pressure and volatility class requirements outlined in the Arizona Revised Statutes, Title 3, Chapter 19 and Arizona Administrative Code Title 3, Chapter 7. The purpose of this update is to provide clarity regarding the Division's enforcement of these standards for conventional gasoline and provide an update regarding requirements for the Cleaning Burning Gasoline (CBG)-covered area and area C. A copy of the March 31, 2020 letter can be found at

[https://agriculture.az.gov/sites/default/files/documents/WMSD%20Fuel%20Enforcement%20Letter%20Final%20033120\\_0.pdf](https://agriculture.az.gov/sites/default/files/documents/WMSD%20Fuel%20Enforcement%20Letter%20Final%20033120_0.pdf).

- For conventional gasoline (not CBG) – After May 20, 2020, the Division will not enforce RVP and volatility class requirements that meet the EPA waiver from May 1 through May 20, 2020 and the Division letter of March 31, 2020. Retailers, jobbers, marketers, and terminals may continue selling or dispensing gasoline that meets the conditions of the EPA waiver after May 20, 2020, until their supplies are depleted.
- For CBG in the CBG-Covered area<sup>1</sup> - A.R.S. 3-3433(F) and A.A.C. R3-7-751(A)(6)(e) require the RVP sold at motor fuel dispensing site or fleet vehicle fueling locations from and after May 31 to be a maximum of 7.0 psi. At this time, gasoline components being shipped in via the pipeline will meet the 7.0 psi RVP requirement<sup>2</sup>. However, due to decreased demand, the supplies of the higher-RVP gasoline remain above normal levels and will require additional time to deplete. To allow the use of the remaining higher RVP gasoline, the Division will not enforce RVP requirements in the CBG-covered area at retail stations as long as only CBG is delivered to the retail location.

---

<sup>1</sup> The CBG-covered area is defined in A.A.C. R3-7-701 as “a county with a population of 1,200,000 or more persons according to the most recent United States decennial census and any portion of a county within area A.” Area A is defined in A.R.S. 3-3401. A map of area A can be found at

<https://agriculture.az.gov/sites/default/files/Vapor%20Inspection%20-%20Area%20A%20Map.pdf>.

<sup>2</sup> Per the pipeline schedule, shipment of AZRBOB meeting the summer RVP requirements (product codes X9 and Z9, 5.7 psi RVP) has begun for the transition to summer gasoline. The pipeline requires 5.7 psi RVP AZRBOB to be shipped cycle 15 on the west line and cycle 16 on the east line (see Section 2, Product Code Requirements, Cycle by Cycle at [https://www.kindermorgan.com/pages/business/products\\_pipelines/pacific\\_specs.aspx](https://www.kindermorgan.com/pages/business/products_pipelines/pacific_specs.aspx)).

- For CBG in area C<sup>3</sup> - A.R.S. 3-3494 and A.R.S. 3-3434 require the sale of CBG with a maximum RVP of 7.0 psi from and after May 31. During times of normal demand, retailers begin purchase of CBG for locations in area C to have the tank inventory turned from conventional higher-RVP gasoline to lower-RVP CBG by the required deadline. This may take a few days for higher throughput locations or weeks for lower throughput locations. Because lower-RVP gasoline may not be available at the terminals until later than normal, the Division will not enforce RVP requirements in area C at retail stations as long as product delivery documentation demonstrates that only CBG is delivered to the retail location from and after May 15, 2020.

The Division will notify regulated parties if necessary as a result of new developments. Should you have any questions regarding the exercise of enforcement discretion you may contact Michelle Wilson, Regulatory Compliance Administrator at (602) 771-4933 or e-mail [mwilson@azda.gov](mailto:mwilson@azda.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Allen", with a long horizontal flourish extending to the right.

Kevin Allen  
Associate Director

---

<sup>3</sup> Area C is defined in ARS 3-3401(3) as “portion of Pinal county lying west of range 11 east, excluding that portion of the county lying within area A as defined in section 49 541 and that portion of the county within the jurisdiction of any Indian tribe, band, group or community that is recognized by the United States secretary of the interior and that exercises governmental authority within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent and including rights of way running through the reservation.” A map depicting area C can be found at [https://agriculture.az.gov/sites/default/files/Area%20C\\_Pinal.pdf](https://agriculture.az.gov/sites/default/files/Area%20C_Pinal.pdf).