



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

March 31, 2020

To the Regulated Industry,

On March 11, 2020, the Governor of Arizona declared that a state of emergency exists in Arizona due to the outbreak of the novel coronavirus ("COVID-19"). Governor Ducey has authorized the Arizona Department of Agriculture, Weights and Measures Services Division (Division) to exercise its discretion and refrain from taking enforcement action on the delivery and sale of gasoline in Arizona that does not meet vapor pressure requirements outlined in the Arizona Revised Statutes, Title 3, Chapter 19 and Arizona Administrative Code Title 3, Chapter 7. While current inventory levels of fuel across the state remain normal, this is a precautionary measure to allow additional time for the transition of higher vapor pressure winter gasoline to lower vapor pressure summer gasoline. This additional transition time is needed due to decreased gasoline demand.

Arizona Administrative Code (A.A.C.) R3-7-708 requires gasoline to meet the specifications in ASTM D4814¹. Depending on the location within the state, the RVP decreases from either 13.5 psi to 11.0 psi or 11.5 psi to 10.0 psi, effective April 1, 2020. The RVP further decreases to 9.0 psi on May 1 throughout the entire state.

Through April 30, 2020, in order to allow suppliers of gasoline enough time to utilize supplies of the higher vapor pressure winter gasoline, the Division will not enforce the April ASTM RVP volatility class requirements provided that the transport and sale of conventional gasoline meets the March ASTM RVP and volatility class requirements, as outlined below:

- Maximum 13.5 lb RVP, meeting ASTM volatility class D-4 or C-3 in areas N 34° Latitude and E 111° Longitude; and
- Maximum 11.5 lb RVP, meeting ASTM volatility class C-3 or B-2 in the remainder of the state outside of the CBG-covered area².

¹ ASTM D4814-16e1, adopted by reference in A.A.C. R3-7-702(A)(5).

² Cleaner Burning Gasoline (CBG)-Covered area as defined in A.A.C. R3-7-701



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On March 27, 2020, the Environmental Protection Agency (EPA) issued a fuel waiver concerning summer gasoline. In accordance with the EPA Waiver, from May 1, 2020 to May 20, 2020, the Division will not enforce the May ASTM RVP volatility class requirements provided that the transport and sale of conventional gasoline meets the April ASTM RVP and volatility class as outlined below:

- Maximum 11.5 lb RVP, meeting ASTM volatility class C-3 or C-2 in areas N 34° Latitude and E 111° Longitude; and
- Maximum 10.0 lb RVP, meeting ASTM volatility class B-2 or A-2 in the remainder of the state outside of the CBG-covered area³.

This action **DOES NOT** allow regulated parties to supply, transport, or sell conventional gasoline in the CBG-Covered Area. Additionally, this action **DOES NOT** allow Registered Suppliers to produce and supply gasoline exceeding the RVP standards set by the pipeline schedule nor does it allow changes in the pipeline schedule to allow higher RVP gasoline to be supplied past the pre-existing schedules⁴.

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 at (602) 771-4933 or e-mail mwilson@azda.gov.

Sincerely,

Michelle Wilson

Michelle Wilson
Associate Director

³ Cleaner Burning Gasoline (CBG)-Covered area as defined in A.A.C. R3-7-701

⁴ See Kinder Morgan, Pacific Specification Operations Manual, Section 2 - Product Code Requirements Cycle by Cycle, 2.1 For Input at Sepulveda, Watson, Hynes, El Paso, September 30, 2019.
(https://www.kindermorgan.com/pages/business/products_pipelines/pacific_specs.aspx)