

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 80****[AMS-FRL-5214-7]****Regulation of Fuels and Fuel Additives: Standards for Reformulated and Conventional Gasoline****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of proposed rulemaking.

SUMMARY: Under the Clean Air Act, as amended in 1990 (CAA or the Act), the Environmental Protection Agency (EPA or the Agency) promulgated anti-dumping regulations for conventional gasoline (gasoline not certified as reformulated gasoline (RFG)). These regulations require that conventional gasoline not be more polluting than it was in 1990. The regulations for conventional gasoline include provisions for the development of individual refinery baselines and other compliance provisions. This proposal would modify the requirements for obtaining a baseline adjustment due to the production of JP-4 jet fuel in 1990. Additionally, EPA is proposing to allow a baseline adjustment due to the inability to acquire extremely sweet crude that had been available in 1990 and from which the gasoline used to develop the 1990 individual baseline was obtained. With regard to both of these baseline adjustment proposals, EPA is issuing a three-month administrative stay (which is published elsewhere in this issue of the **Federal Register**) of the applicable portions of the December 1993 final rule and proposes to extend such stay by rule pending the outcome of this rulemaking. EPA is also proposing a baseline adjustment for refiners which have both extremely low baseline sulfur and olefin levels. A refiner is severely limited in its ability to comply with its individual baseline when the baseline values of both of these parameters are very low. For refiners which qualify for one or more of the baseline adjustments proposed today, EPA proposes to apply the adjustments to gasoline produced in 1995. Finally, EPA is also proposing to revise its regulations concerning the publication and confidentiality of individual baselines and information submitted to obtain an individual baseline.

DATES: EPA will conduct a hearing (date and location to be announced) if a request for such is received by September 5, 1995. The comment period on this document will close September

5, 1995 unless a hearing is requested, in which case the comment period will close 30 days after the close of the public hearing.

ADDRESSES: Interested parties may submit written comments (in duplicate, if possible) to Public Docket No. A-95-03 at Air Docket Section, U.S. Environmental Protection Agency, Waterside Mall, Room M-1500, 401 M Street S.W., Washington, D.C. 20460. The Agency requests that commenters also send a copy of any comments to Christine M. Brunner at the address listed below in the "Further Information" section.

The support document containing detailed discussion of today's proposal is contained in Public Docket A-95-03. Materials relevant to the reformulated gasoline final rule are contained in Public Dockets A-91-02 and A-92-12. These dockets are located at Room M-1500, Waterside Mall (ground floor), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460. The docket may be inspected from 8:00 a.m. until 5:00 p.m. Monday through Friday. A reasonable fee may be charged by EPA for copying docket materials.

FOR FURTHER INFORMATION CONTACT: Christine M. Brunner, U.S. EPA (RDSD-12), Regulation Development and Support Division, 2565 Plymouth Road, Ann Arbor, MI 48105, Telephone: (313) 668-4287.

SUPPLEMENTARY INFORMATION: *To Request Copies of This Document*
Contact: Delores Frank, U.S. EPA (RDSD-12), Regulation Development and Support Division, 2565 Plymouth Road, Ann Arbor, MI 48105, Telephone: (313) 668-4295.

A copy of this document is also available electronically on the EPA's Office of Air Quality Planning and Standards (OAQPS) Technology Transfer Network Bulletin Board System (TTNBBS). The service is free of charge, except for the cost of the phone call. The TTNBBS can be accessed with a dial-in phone line and a high-speed modem per the following information:
TTN BBS: 919-541-5742
(1200-14400 bps, no parity, 8 data bits, 1 stop bit)
Voice Help-line: 919-541-5384

Accessible via Internet: TELNET
ttnbbs.rtpnc.epa.gov Off-line: Mondays
from 8:00 AM to 12:00 Noon ET.

A user who has not called TTN previously will first be required to answer some basic informational questions for registration purposes. After completing the registration process, proceed through the following

menu choices from the Top Menu to access information on this rulemaking.
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At this point, the system will list all available files in the chosen category in reverse chronological order with brief descriptions. These files are compressed (i.e., ZIPed). Today's notice can be identified by the following title: JP4NPRM.ZIP. To download this file, type the instructions below and transfer according to the appropriate software on your computer:

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I. Introduction

Compliance with certain aspects of the reformulated and conventional gasoline regulations depends on the individual baseline of the refinery or refiner.¹ The individual baseline is the set of fuel parameter values, emissions and volumes which represent the quality and quantity of the refiner's 1990 gasoline. See 40 CFR 80.91. EPA's regulations establish requirements for developing an individual baseline. For specific situations, the Agency allowed the baseline fuel parameters, volumes and emissions values to be adjusted to reflect certain limited unique instances. Allowable circumstances under the regulations include unforeseen downtime of a gasoline blendstock producing unit, nonannual maintenance, work-in-progress and

¹ In general, the anti-dumping provisions apply to refiners or importers of conventional gasoline. The baseline adjustment provisions proposed in today's notice, however, are applicable only to refiners and their refineries.