

1                   **REFINER AND IMPORTER REPORTING PROVISIONS**

2                                   2016 GENERAL SESSION

3                                   STATE OF UTAH

4                   **Chief Sponsor: Raymond P. Ward**

5                   Senate Sponsor: \_\_\_\_\_

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7   **LONG TITLE**

8   **General Description:**

9           This bill enacts a reporting provision for certain refiners and importers.

10 **Highlighted Provisions:**

11       This bill:

- 12       ▶ provides definitions; and
- 13       ▶ enacts a reporting provision for certain refiners or importers of gasoline regarding
- 14 compliance with certain federal gasoline sulfur standards.

15 **Money Appropriated in this Bill:**

16       None

17 **Other Special Clauses:**

18       None

19 **Utah Code Sections Affected:**

20 ENACTS:

21       **4-33-12**, Utah Code Annotated 1953

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23 *Be it enacted by the Legislature of the state of Utah:*

24       Section 1. Section **4-33-12** is enacted to read:

25       **4-33-12. Definitions -- Refiner or importer reporting provisions.**

26       (1) As used in this section:

27       (a) "Blending stock," "blendstock," or "component" means any liquid compound that is



28 blended with other liquid compounds to produce gasoline.

29 (b) "Importer" means a person who imports gasoline, gasoline blending stocks or  
30 components, or diesel fuel from a foreign country into the United States.

31 (c) "Refiner" means any person who owns, leases, operates, controls, or supervises a  
32 refinery.

33 (d) "Refinery" means a facility where gasoline or diesel fuel is produced, including a  
34 facility at which blendstocks are combined to produce gasoline or diesel fuel, or at which  
35 blendstock is added to gasoline or diesel fuel.

36 (2) The Legislature recognizes that:

37 (a) the state's air quality is a matter of statewide concern; and

38 (b) it is in the state's interest to seek ways to improve air quality and reduce the harmful  
39 effects of vehicle emissions within the state.

40 (3) (a) Except as provided in Subsection (4), a refiner or importer or a refiner's or  
41 importer's designated agent or representative may annually report on or before October 31 to  
42 the Natural Resources, Agriculture, and Environment Interim Committee on:

43 (i) the refiner's or importer's plans to implement the United State Environmental  
44 Protection Agency's Tier 3 gasoline sulfur standard described in 40 C.F.R. Sec. 80.1603; and

45 (ii) except as provided in Subsection (3)(b), whether the refiner's or importer's facility  
46 that is located within the state will have, for any batch of gasoline produced at a refinery or  
47 imported by an importer into this state, an average gasoline sulfur level of 10 parts per million  
48 (ppm) or milligrams per kilogram (mg/kg) using the formulas prescribed in 40 C.F.R. Sec.  
49 80.1603, excluding the offset for credit use and transfer as prescribed in 40 C.F.R. Sec.  
50 80.1616.

51 (b) Fuels that are not subject to the standards and requirements of 40 C.F.R. Sec.  
52 80.1603 as specified in 40 C.F.R. Sec. 1601 are not subject to the reporting provisions under  
53 Subsection (3)(a).

54 (4) A refiner or importer is exempt from the reporting provisions in Subsection (3) if:

55 (a) the refiner or importer implements the United States Environmental Protection  
56 Agency's Tier 3 gasoline sulfur standards prescribed in 40 C.F.R. Sec. 1603; and

57 (b) the refiner's or importer's facility within the state has, for any batch of gasoline  
58 produced at a refinery or imported by an importer into this state, an average gasoline sulfur

59 level of 10 ppm or mg/kg using the formulas prescribed in 40 C.F.R. Sec. 80.1603, excluding  
60 the offset for credit use and transfer as prescribed in 40 C.F.R. Sec. 80.1616.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**