

Ottawa, Ontario
K1A 0H3

October 16, 1998

To: Interested Parties
(See Distribution List)

Re: Guidance Document on the *Benzene in Gasoline Regulations*

Please find attached, additional questions and answers on the *Benzene in Gasoline Regulations*, which are provided as an addendum to the original Guidance Document, dated May 27, 1998. If you have further questions on the regulations, please mail or fax your questions to:

Benzene in Gasoline Regulations
Oil, Gas & Energy Branch
Environment Canada
Ottawa, Ontario K1A 0H3

Fax: 819-953-8903

Yours truly,

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Manager, Oil, Gas & Energy Branch

attachment

**Questions and Answers
on the federal
*Benzene in Gasoline Regulations***

ADDITIONAL QUESTIONS -- October 10, 2000

Section 1: INTERPRETATION

- 1.13 *Can an officer of a corporation delegate a senior official of the corporation to act on his/her behalf for the purposes of being an "authorized official"?*

No. The regulations require that an officer of the corporation sign the relevant forms.

Section 6: EQUIVALENT METHODS FOR SAMPLING AND ANALYSIS

- 6.7 *Since U.S. sampling and analysis methods are acceptable for the U.S. records allowed under subsection 8(3), are they automatically equivalent under section 6?*

No. As with any method, U.S. methods must be shown to be equivalent under section 6 in order to be used.

Section 7: REGISTRATION

- 7.6 *Why does Environment Canada need to give a primary supplier more than one registration number?*

The ability to provide primary suppliers with more than one registration number gives Environment Canada discretion to deal with special circumstances.

- 7.7 *If I have a blending facility on my refinery property, can I register the blending facility separately from the refinery?*

No. A refinery includes all blending facilities on its property (refer to definition of "refinery" in subsection 1(1)).

Section 8: REPORT

- 8.8 *Do I have to report the maximum and average values of the benzene emission number during the first two quarters of 1999?*

Yes. Refer to section 2 of Schedule 3.

- 8.9 *If I do not supply gasoline during a reporting period, do I still have to submit a report?*

No.

Section 9: RECORDS

- 9.7 *What do I do if I identified a batch as "complying gasoline" and later, after the analysis was completed and long after the batch entered the pipeline, I discovered it did not meet the compositional requirements of the regulations?*

You would be in violation of the regulations.

- 9.8 *Can I identify a batch as "complying gasoline, pending completion of analysis" and then re-designate it as "complying gasoline" or "gasoline-like blendstock" depending on the results of the test?*

No. You must identify batches as one of the 10 types of gasoline specified in subsection 9(3) prior to dispatch from your facility or importation. "Complying gasoline, pending completion of analysis" is not one of these 10 types of gasoline. If you are in doubt as to whether a batch is complying gasoline, you can identify it as gasoline-like blendstock. You must then comply with the requirements for gasoline-like blendstock.

- 9.9 *What date should I record under subsection 9(5) if I receive a batch of complying gasoline at my refinery or blending facility that was originally supplied from another facility that I own?*

You may record the date of receipt of the batch at your facility.

- 9.10 *Are Bills of Lading or Pipeline Tickets acceptable written evidence under subsection 9(6) that establishes that a batch was sold or delivered for the use appropriate to the type identified for that batch?*

It depends on what information is on these records. These records are acceptable if they include information that establishes that the batch was sold or delivered for the appropriate use.

Section 11: SUBMISSION OF SAMPLES AND RECORDS

11.6 *When must I provide the samples to Environment Canada?*

You must provide the sample to Environment Canada as per the instructions of an enforcement officer.

11.7 *Will I be told beforehand that a sample will be requested?*

Generally, no.

Section 12: ADDITIONAL REQUIREMENTS FOR IMPORTERS

12.4 *Who do I notify of an imported shipment?*

You should notify the appropriate regional enforcement office of Environment Canada. The addresses of these offices are listed in Appendix A of the guidance document dated May 27, 1998.

Section 13: GASOLINE-LIKE BLENDSTOCK -- RECORDS AND REQUIREMENTS

13.5 *If I transfer a batch of gasoline-like blendstock from one facility that I own to another that I own, do I have to make the records required under section 13?*

As the batch was dispatched from your facility, you would have to complete the record required under subsection 13(1). There is no requirement to complete the record required under paragraph 13(3)(b) for such a batch. Nevertheless in order to have a complete and clear records, you may wish to make such a record for such occurrences.

Section 18: CALCULATING A YEARLY POOL AVERAGE

18.9 *Does "province" of importation include the territories?*

Yes.

Section 19: PROCEDURES FOR SAMPLING AND ANALYSIS

19.15 *If, within a refinery, I add commercially pure butane/oxygenates to gasoline which meets the compositional requirements of the regulations, do I take a sample from (and do the analysis on) the gasoline before or after the addition of the commercially pure butane/oxygenate?*

You must sample and analyze the finished gasoline that leaves the refinery.

Section 22: AUDIT

22.9 *If I do not supply gasoline during the year, am I still required to have an audit?*

No.

Schedule 1: MODEL FOR CALCULATING BENZENE EMISSIONS NUMBERS

S1.8 *In the annex required under subsection 2(2), during the first two quarters of 1999 do I have to report when benzene is outside the acceptable range?*

Under subsection 2(1), the acceptable range for benzene is 0.0 to 1.5% by volume. However, prior to July 1, 1999, it is anticipated that there will be gasoline supplied in Canada that will be outside this range. For the purposes of the annexes associated with the first two quarterly reports for 1999, a primary supplier may indicate the reason to be "*pre-benzene reduction gasoline*" and note the affected volume.

S1.9 *In the annex required under subsection 2(2), do I have to report when summer vapour pressure is outside the acceptable range?*

Under subsection 2(1), the acceptable range for RVP during the summer is 44.1 to 75.8 kPa. However, a large number of batches supplied in Canada will be above this range, particularly during May and September and also in northern areas throughout the summer. For the purposes of the annex, a primary supplier may indicate the reason to be "*shoulder-season high RVP gasoline*" or "*northern high RVP gasoline*" and note the affected volume.

S1.10 *If the actual summer vapour pressure of a batch is above the acceptable range, can I use the maximum acceptable value instead of the actual value to compute the benzene emissions number for the batch?*

No. The actual value for the summer vapour pressure of the batch must be used.

Schedule 3: REPORT ON COMPOSITION OF GASOLINE

S3.5 *Do I have to report the values for the Benzene Emissions Number for batches of California Phase 2 gasoline and U.S. Reformulated gasoline?*

Yes. U.S. reformulated gasoline and California gasoline must comply with all reporting requirements. They are exempt only from certain compositional

Guidance Document Additions -- *Benzene in Gasoline Regulations* (October 16, 1998)

requirements.

ERRATUM

In the reply to Question 1.6 in the guidance document dated May 27, 1998, the maximum allowable benzene content in commercially pure butane is 0.03% by volume, rather than 0.3% by volume as noted in the guidance document.