

## SECTION .1300 - OXYGENATED GASOLINE STANDARD

### 15A NCAC 02D .1301 PURPOSE

This Section sets forth oxygenated gasoline standards in areas where an oxygenated gasoline program is implemented pursuant to State law for all gasoline sold wholesale for use or for all gasoline sold retail, offered for use, dispensed, or otherwise provided for use in any spark-ignition engine other than aircraft in the areas defined in Rule .1302 of this Section during the time periods defined in Rule .1302(c) of this Section.

*History Note: Filed as a Temporary Amendment Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
Authority G.S. 143-215.3(a)(1); 143-215.107(a)(3),(7);  
Eff. September 1, 1992;  
Amended Eff. September 1, 1996; November 1, 1994.*

**15A NCAC 02D .1302 APPLICABILITY**

(a) This Section shall apply to gasoline identified in Rule .1301 of this Section during the time period described in Paragraph (c) of this Rule in any of the following areas, and in that area only, when the Director notices in accordance with Paragraph (b) of this Rule in the North Carolina Register that oxygenated gasoline is needed in that area to attain and maintain the ambient air quality standard for carbon monoxide:

- (1) the Greensboro/Winston-Salem/High Point Metropolitan Statistical Area consisting of Davie, Davidson, Forsyth, Guilford, Randolph, Stokes, and Yadkin Counties;
- (2) the Charlotte/Gastonia/Rock Hill Metropolitan Statistical Area consisting of Cabarrus, Gaston, Mecklenburg, and Union Counties; and
- (3) the Raleigh/Durham Metropolitan Statistical Area consisting of Durham, Franklin, Orange, and Wake Counties.

(b) If a violation of the ambient air quality standard for carbon monoxide is measured in accordance with 40 CFR 50.8 in one of the areas named in Paragraph (a) of this Rule, the Director shall initiate analyses to determine if additional measures are needed to attain and maintain the ambient air quality standards in that area. If the Director finds that 2.7 percent oxygen by weight oxygenated gasoline is needed, the Director shall notice in the North Carolina Register by the following September 1 that only oxygenated gasoline shall be sold in that area beginning on the following November 1. The notice shall identify the area in which oxygenated gasoline shall be sold. Also by the following July 1, the Director shall notify the Gasoline and Oil Inspection Board and the primary gasoline distributors that only oxygenated gasoline shall be sold in the area beginning on the following November 1.

(c) This Section applies to gasoline identified in Rule .1301 of this Section and in the counties identified in Paragraph (a) of this Rule for the four-month period beginning November 1 and running through the last day of February of the following year.

(d) Gasoline in storage within the counties identified in Paragraph (a) of this Rule prior to November 1 of the year in which this Section goes into effect at a dispensing facility having total gasoline tank capacity of less than 550 gallons or a total weekly dispensing rate of less than 550 gallons is exempted from Rule .1304 of this Section, but any gasoline supplied to the facility during the period identified in Paragraph (c) of this Rule shall comply with Rule .1304 of this Section.

*History Note: Filed as a Temporary Amendment Eff. October 23, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner; Authority G.S. 143-215.3(a)(1); 143-215.107(a)(3),(7); Eff. September 1, 1992; Amended Eff. September 1, 1996; November 1, 1994.*

**15A NCAC 02D .1303 DEFINITIONS**

For the purpose of this Section, "oxygenated gasoline" means any gasoline which contains a substance or substances to raise the oxygen content of the gasoline to conform with Rule .1304 of this Section.

*History Note:* Authority G.S. 143-213; 143-215.3(a)(1); 143-215.108(c)(7);  
Eff. September 1, 1992.

**15A NCAC 02D .1304 OXYGEN CONTENT STANDARD**

Gasoline to which this Section applies in accordance with Rule .1302(a) of this Section shall have an oxygen content of not less than 2.7 percent by weight during the period defined in Rule .1302(c) of this Section.

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Authority G.S. 143-215.3(a)(1); 143-215.107(a)(3),(7);  
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Amended Eff. September 1, 1996; November 1, 1994.*

**15A NCAC 02D .1305 MEASUREMENT AND ENFORCEMENT**

- (a) Gasoline samples shall be taken and handled by methods approved by the Gasoline and Oil Inspection Board.
- (b) Gasoline samples shall be analyzed by the American Society for Testing and Materials (ASTM) standard test method, designation D 4815-89 or by other methods approved by the Gasoline and Oil Inspection Board and the United States Environmental Protection Agency.
- (c) Enforcement shall be in accordance with procedures adopted by the Gasoline and Oil Inspection Board in 2 NCAC 42 .0100.

*History Note: Authority G.S. 119-26; 143-215.3(a)(1); 143-215.107(a)(3),(7); 150B-21.6;  
Eff. September 1, 1992;  
Amended Eff. July 1, 1998.*