

Regulatory Announcement

Final Rulemaking Revising MSAT Default Baseline Values

The U.S. Environmental Protection Agency (EPA) is issuing a final rulemaking which revises the Mobile Source Air Toxics (MSAT) Rule default baseline values. This rulemaking also corrects an error in the MSAT reformulated gasoline (RFG) default baseline value published in the original rule.

Background

The final MSAT rule, published March 29, 2001 (as Control of Emissions of Hazardous Air Pollutants From Mobile Sources), requires that the annual average toxics performance level of gasoline produced or imported beginning in 2002 must be at least as clean as the average performance level of the gasoline produced or imported during the baseline period 1998-2000. Toxics performance is determined separately for each refinery and importer. Toxics performance is also determined separately for RFG and conventional gasoline.

The MSAT default baseline applies to the gasoline of those parties who cannot establish a unique individual MSAT baseline under the MSAT rules. Such parties may not have existed during the MSAT baseline period, or did not have sufficient gasoline production or import activity during that period. The default MSAT baseline is an estimate of the nationwide annual average toxics performance level of gasoline. Toxics

performance data from calendar year 2000 was not yet available when the 2001 MSAT rule was promulgated. In that rule, we committed to revise the default MSAT baseline values once the 2000 data became available. This rulemaking fulfills that commitment.

The proposed rule for this rulemaking was published on January 4, 2005. We had proposed that the revised values would be effective with the annual compliance period beginning January 1, 2005. Considering the timing of the proposed and final rules, and comments from refining industry representatives, we are instead finalizing an effective date of January 1, 2006. Industry representatives commented that a compliance period beginning the year following promulgation of the revised values would provide sufficient lead time to prepare for the new requirements, as long as promulgation occurred by September 30.

This rulemaking also corrects an error in the original rule affecting the RFG default baseline value. The corrected value is effective for the 2002-2005 compliance periods.

Health and Environmental Benefits

The final MSAT rule set gasoline toxic emission performance standards to ensure that refiners and importers maintain their average 1998-2000 gasoline toxic emission performance levels. This rule updating the default MSAT baseline values does not change the environmental analyses discussed in the final MSAT rule.

Effect on Industry

The revised conventional gasoline default baseline value is less stringent than the current conventional gasoline value. The revised RFG default baseline value is slightly more stringent than the current RFG value. Nonetheless, EPA expects this rule to have minimal economic consequences.

For More Information

Information on the rulemaking is available from the EPA Air Docket (202-566-1742); please refer to Docket No. OAR-2002-0042. In addition, you can access the final rule and related documents on EPA's Office of Transportation and Air Quality (OTAQ) Web site at:

www.epa.gov/otaq/toxics.htm

For further information on this final rule, please contact Christine Brunner at:

U.S. Environmental Protection Agency
National Vehicle and Fuel Emissions
Laboratory
2000 Traverwood Drive
Ann Arbor, MI 48105
(734) 214-4287

E-mail: brunner.christine@epa.gov