



**California Energy Commission
August 13, 2025 Business Meeting
Backup Materials for California Refinery Maintenance Reporting Guidelines,
Second Edition (Docket No. 23-OIR-03)**

The following backup materials for the above-referenced agenda item are available as described below:

1. Proposed Resolution, attached below.
2. [Proposed Senate Bill X1-2: California Refinery Maintenance Guidelines Second Edition](#), TN 265577.
3. [CEC Form EBR-1P – California Refinery Planned Refinery Maintenance and Turnaround Report](#), TN 265578.
4. [CEC Form EBR-1U – California Refinery Unplanned Maintenance and Turnaround Report](#), TN 265579.

For the complete rulemaking record, please visit [Docket No. 23-OIR-03](#) at: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-oir-03>.

To stay informed about this rulemaking and receive documents as they are filed, please subscribe to the [SB X1-2/AB X2-1 Implementation Topic](#), which can be accessed here: <https://www.energy.ca.gov/proceeding/senate-bill-x1-2-implementation>. The Topic sends out email notifications and direct links when documents are filed in the proceeding docket.

[PROPOSED]

RESOLUTION NO: 25-0813-XX

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**Refinery Maintenance Reporting
Guidelines (2nd Ed.)**

Docket No. 23-OIR-03

**[PROPOSED] RESOLUTION
ADOPTING SECOND EDITION
GUIDELINES**

WHEREAS, the Legislature enacted, and the Governor signed Senate Bill (SB) X1-2 (Stats. 2023, 1st Ex. Sess., ch.1), which, among other things, amended section 25354, subdivision (a) in Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, the Legislature enacted, and the Governor signed Assembly Bill (AB) X2-1 (Stats. 2024, 2nd. Ex. Sess., ch. 1), which, among other things, amended section 25354.2 in Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, the Public Resources Code section 25354.2 authorizes the CEC to adopt regulations regarding refinery maintenance resupply planning and requires that any such regulations include consideration of refiners' maintenance resupply planning and other arrangements reported to the CEC pursuant to Public Resources Code section 25354(m); and

WHEREAS, to improve reporting of data to the CEC about the petroleum market that is essential for the CEC's analysis and oversight functions and for the state to develop and administer energy policies in the best interests of the state and public welfare, Public Resources Code section 25354, subsection (n), paragraph (2) authorizes the CEC to adopt guidelines prescribing the manner in which the Executive Director shall implement section 25354, subdivision (m) of Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, the CEC adopted the First Edition of the California Refinery Maintenance Reporting Guidelines (Guidelines) containing such guidelines, including the rules and

procedures that clarify and revise the maintenance reporting requirements and procedures for refineries operating in California; and

WHEREAS, CEC staff prepared the Second Edition of the Refinery Maintenance Reporting Guidelines (Second Edition Guidelines) to clarify these rules and procedures and to incorporate additional informational requirements necessary for the CEC to evaluate refinery maintenance resupply planning; and

WHEREAS, these Second Edition Guidelines (1) incorporate lessons learned through implementation to clarify and standardize the data and (2) gather additional information needed to better understand market dynamics and inform potential future policy actions; and

WHEREAS, Public Resources Code section 25367, subsection (c), paragraph (1), states that any guideline adopted by the CEC under Chapter 4.5 is not a “project” for purpose of the California Environmental Quality Act; and

WHEREAS, Public Resources Code section 25354, subsection (n), paragraph (2) states that the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) does not apply to the adoption of these guidelines; and

WHEREAS, on February 21, 2025, the CEC noticed and on March 5, 2025, the CEC held a workshop to discuss proposed Second Edition Guidelines; and

WHEREAS, on March 4, 2025, CEC staff published a preliminary draft of the proposed Second Edition Guidelines; and

WHEREAS, at the March 5, 2025, workshop CEC staff presented an overview of the proposed Second Edition Guidelines and established a comment period up to and including March 17, 2025; and

WHEREAS, CEC staff engaged with stakeholders throughout this process and modified the proposed Second Edition Guidelines based on comments and feedback received; and

WHEREAS, on August 1, 2025, on the business meeting webpage, the CEC provided notice that it designated August 13, 2025, as the date for the business meeting to consider adoption of the proposed Second Edition Guidelines and

WHEREAS, on August 13, 2025, the CEC provided the updated proposed Second Edition Guidelines for public review; and

WHEREAS, on August 13, 2025, the CEC considered the proposed Second Edition Guidelines at its business meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

These Second Edition Guidelines are necessary to implement Public Resources Code section 25354(m) and to analyze the nature, cause, and extent of transportation fuel product shortages, conditions affecting supply, and the impact of maintenance-related production losses on fuel prices.

With regard to the California Environmental Quality Act (CEQA):

- These Second Edition Guidelines are being adopted under Chapter 4.5 of Division 15 of the Public Resources Code. Therefore, this action is statutorily deemed to not be a project under CEQA pursuant to Public Resources Code Section 25367; and

With regard to the Administrative Procedure Act:

- The proposed Second Edition Guidelines are exempt from the Administrative Procedure Act pursuant to Public Resources Code section 25354, subsection (n), paragraph (2).

THEREFORE, BE IT RESOLVED that, after considering all comments received and based on the entire record of this proceeding, the CEC hereby adopts the Second Edition of the California Refinery Maintenance Reporting Guidelines as published on August 13, 2025, and incorporating any changes presented and adopted today. The CEC takes this action under the authority of sections 25218, 25354, 25354.2, and 25367 of the Public Resources Code, which among other powers conferred authorize the CEC to adopt guidelines prescribing the manner in which the Executive Director of the CEC shall implement Public Resources Code section 25354(m); and

FURTHER BE IT RESOLVED that the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to publish the adopted Second Edition Guidelines, including but not limited to making any changes to the Second Edition Guidelines adopted today, making appropriate non-substantive changes; and preparing all appropriate documents.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on August 13, 2025.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Kim Todd
Secretariat