



**California Energy Commission  
October 8, 2025 Business Meeting  
Backup Materials for Certification of Petroleum Industry Information Reporting  
Act of 1980 (PIIRA) Emergency Regulations  
(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. [Notice of Proposed Action](https://efiling.energy.ca.gov/GetDocument.aspx?tn=264664&DocumentContentId=101508) (TN# 264664), available at:  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=264664&DocumentContentId=101508>.
3. [Proposed Express Terms](https://efiling.energy.ca.gov/GetDocument.aspx?tn=264665&DocumentContentId=101507) (TN# 264665), attached below and available at:  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=264665&DocumentContentId=101507>.
4. [Initial Statement of Reasons](https://efiling.energy.ca.gov/GetDocument.aspx?tn=264662&DocumentContentId=101509) (TN# 264662), available at:  
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=264662&DocumentContentId=101509>.

For the complete rulemaking record, please visit: [23-OIR-03](#).

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

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

*General Rulemaking Proceeding  
for Developing Regulations,  
Guidelines, and Policies for  
Implementing SB X1-2 and AB X2-1*

Docket No. 23-OIR-03

[PROPOSED] RESOLUTION  
ADOPTING REGULATIONS

**WHEREAS**, on July 11, 2025, the State Energy Resources Conservation and Development Commission (California Energy Commission or CEC) mailed and posted on the CEC's website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC's intent to adopt proposed regulations for Certification of PIIRA Emergency Regulations, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the Economic Impact Statement (Form 399); and

**WHEREAS**, on July 11, 2025, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency, distributed to the CEC's SB X1-2/AB X2-1 Implementation email subscription list, and posted on the CEC's website under Docket Number 23-OIR-03. The NOPA stated that a Public Hearing (Public Hearing) to hear comments on the proposed regulations would be held on August 27, 2025; and

**WHEREAS**, on August 26, 2025, the 45-day written comment period established by the NOPA closed; and

**WHEREAS**, on August 27, 2025, the CEC staff for the rulemaking held a Public Hearing, as noticed in the NOPA, to receive oral comments on the proposed regulations to the Certification of PIIRA Emergency Regulations; and

**WHEREAS**, on September 26, 2025, the CEC staff posted a Notice of Adoption Hearing, informing interested parties and the public that the CEC would consider and possibly adopt the proposed regulations at the October 8, 2025, Business Meeting of the CEC; and

**WHEREAS**, each of the above-referenced documents and notices was provided to every person on the CEC's Rulemaking email subscription list of SB X1-2/AB X2-1

Implementation and was posted to the CEC's website under Docket Number 23-OIR-03; and

**WHEREAS**, on October 8, 2025, the CEC considered adoption of the proposed regulations at its Business Meeting.

**THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:**

With regard to the California Environmental Quality Act:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations are exempt from CEQA requirements under California Public Resources Code section 25367(c)(1), which declares that regulations adopted pursuant to Public Resources Code, Chapter 4.5, are not a "project" for purposes of CEQA; and

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
- The proposed regulations will not impose direct costs or savings, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will not result in the creation or elimination of jobs within California; and
- The proposed regulations will not result in costs or savings in federal funding to the State of California; and
- The proposed regulations will not result in nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will not have an impact on housing costs; and
- The proposed regulations will result in cost impacts to representative private persons or businesses in reasonable compliance with the regulations resulting from increased submission of data reports amounting to \$1,661,220; and

- The proposed regulations will not adversely impact the health and welfare of California residents, or worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purpose of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will require some businesses to complete new reports, which are necessary for the health, safety, and welfare of the people of the state; and
- The proposed regulations will have a positive effect on the health and welfare of California residents, work safety, and the state's environment by increasing transparency and accuracy of petroleum data reporting; and
- None of the comments received during the comment period, public hearing, and nothing else in the record, justified any changes to the proposed regulations as published on July 11, 2025.

**THEREFORE, BE IT RESOLVED**, that, on the basis of the entire record before it, the CEC finds that the proposed regulations are exempt from CEQA under California Public Resources Code section 25367(c)(1) because that statute declares that regulations adopted pursuant to Public Resources Code, Chapter 4.5, are not a "project" for purposes of CEQA; and

**FURTHER BE IT RESOLVED**, that, after considering all comments received and staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the proposed regulations, as set forth in the express terms that were published on July 11, 2025 and with any changes considered and adopted at the October 8, 2025 business meeting; and

The CEC takes this action under the authority of sections 25213, 25218(e), 25354, and 25367 of the Public Resources Code, which authorize the CEC to adopt or amend rules or regulations as necessary to implement, interpret, and make specific Public Resources Code Sections 25354, 25354(c), 25354(f)(3), 25354(k), 25354(j), 25354(l), 25355, 25356, 25358(c), 25362, and 25364; and

**FURTHER BE IT RESOLVED**, that documents and other materials that constitute the rulemaking record can be found at the CEC, 715 P Street, Sacramento, California, 95814. Many of these documents are also available online in [Docket Number 23-OIR-03](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OIR-03), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OIR-03>; and

**FURTHER BE IT RESOLVED**, the CEC delegates the authority and directs staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Exemption with the State Clearinghouse. This delegation explicitly includes authority for the Executive Director or Chief Deputy Director to sign the Form 400 on behalf of the CEC.

**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 October 8, 2025.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

\_\_\_\_\_  
Kim Todd  
Secretariat

## EXPRESS TERMS

**California Code of Regulations  
Title 20. Public Utilities and Energy  
Division 2. State Energy Resources Conservation and Development Commission  
Chapter 3. Data Collection  
Article 3. Petroleum Information Reports**

**§ 1363.1. Definitions: Specific Petroleum and Non-Petroleum Products.**

[...skipping subsections (a) through (u)]

(v) “Unfinished Oils” means all oils requiring further processing at a refinery, except those requiring only mechanical blending. Unfinished oils are produced by partial refining of crude oil and include naphthas and lighter oils, kerosene and light gas oils, heavy gas oils, and residuum.

NOTE: Authority cited: Sections 25213, ~~and 25218(e)~~ and 25367, Public Resources Code. Reference: Sections 25354 and 25355, Public Resources Code.

**§ 1363.2. Definitions: Specific Definitions for Purposes of Reporting Requirements.**

“1/1/1” means a pricing window associated with the loading or discharge of a marine vessel that is benchmarked to a published reference price (such as OPIS prompt spot LA CARBOB Regular) the business day before, business day of, and business day after title transfer has commenced.

“3-Day Wrap” means a pricing window associated with the pumping of a pipeline tender that is benchmarked to a published reference price (such as OPIS prompt spot LA CARBOB Regular) the business day before, business day of, and business day after the pumping of the tender has commenced.

“Additives” means compounds formulated to reduce the formation of engine deposits when combined with gasoline intended to be sold at retail or to other end-user customers. Additives can include registered generic or proprietary formulations.

“Adjusted Dealer Tank Wagon (ADTW)” means the delivered wholesale transaction price for gasoline transported by tanker truck to a retail dealer or franchisee that has been adjusted to reflect the “net cost” to the retail dealer or franchisee such that all rebates or other discounts are subtracted from the original dealer tank wagon (DTW) price to reflect the net cost of the gasoline to the retail dealer or franchisee.

“Airport retail fuel outlet” refers to a facility that stores and dispenses petroleum products, typically jet fuel and aviation gasoline for use in private and/or commercial aircraft. Airport refueling operations that provide refueling services to military aircraft are excluded from this definition.

“All other taxes and fees” means the volume-weighted average price of all taxes and fees, other than underground storage tank fees and fees related to the Low Carbon Fuel Standard or Cap-and-Trade Program, included in a wholesale gasoline sale (such as branded rack, unbranded rack, bulk, spot pipeline, dealer tank wagon, company-owned, company-operated, or sales to other end-users).

“API” means the American Petroleum Institute.

“Average Throughput” means the liquid volume transported by a pipeline during a specific period divided by the number of days in that period.

“Barrel” means a unit of liquid measurement that consists of 42 U.S. gallons.

“Book Transfer” means the completion of a spot market purchase or sale obligation without a physical movement or title transfer of the product as a result of two parties having purchase and sale contracts that serve to offset each other, directly or in a contractual chain with other parties.

“Branded Rack Sales” means wholesale sales, not exceeding the size of a truckload, of petroleum products sold under a brand name with a proprietary additive package included, where title transfers at a distribution terminal.

“Broker” means an entity that negotiates contracts of purchase and sale of spot market transactions that is not classified as a refiner or a trader.

“Bulk Sales” means wholesale sales of petroleum products in individual transactions that exceed the size of a truckload. Examples include without limitation marine vessel (product tanker or barge) and rail tank car.

“Bulk Terminal” means a storage and distribution facility not open to the public that is used primarily for wholesale marketing of petroleum products and oxygenates with a minimum storage capacity of 50,000 barrels.

“Bunkering” means the physical transfer of marine fuels from one marine vessel to another marine vessel.

“CARB” means the California Air Resources Board.

“Cardlock Retail Fuel Outlet” means a facility, normally unattended by any operator, that dispenses refined petroleum products to consumers as a sole or predominant activity of their business operation.

“Catalyst” means a substance used to accelerate or retard a chemical reaction in refinery process units (such as catalytic cracking, hydrocracking, hydrotreating, and reforming) without itself undergoing significant chemical change or change in volume during the process.

“CEC” means the California State Energy Resources and Conservation and Development Commission or the California Energy Commission.

“Central Coast Region” means a geographic area in California that includes the counties of Monterey, San Benito, San Luis Obispo and Santa Barbara.

“Company-Owned, Company-Operated Sale” means a sale of gasoline, on-highway diesel fuel, or propane for on-highway vehicle use by any company-owned outlet, such as a service station, under the direct control of the refiner, such that the refiner can set the retail product price and directly collect all or part of the retail margin. This category includes retail outlets: (1) being operated by salaried employees of the refiner or its subsidiaries and affiliates, or (2) involving personnel services contracted by the refiner.

“Contract Identification Number” means the unique identification number for a transaction, which reporting entities can self-assign based on internal requirements but must be alpha-numeric and not exceed 25 characters.

“Contract Position Identification Number” means the sequence number for each transaction under a spot market contract.

“Costs of Labor” means the sum of employee wages, employee benefits costs, and payroll taxes paid by an employer.

“Counterparty” means the entity identified by the reporting form filer as either the buyer or seller of a contract transaction.

“Crude Oil Acquisition Cost” means the cost of crude oil, including transportation and other fees paid by the refiner but not including the cost of crude oil purchased for the Strategic Petroleum Reserve or profits and losses from crude oil futures or options trading activity.

“Crude Oil Pipeline System” means a facility that receives its supply from pipeline gathering systems, tanker or barge, and has its terminals located at a refinery or waterside terminal and from which crude oil is shipped directly to one or more refineries in California or transported out of state. A crude oil pipeline system includes all points of origin, terminals, working tank storage capacity, and points of interconnection with crude oil pipeline systems operated by others.

“Dealer Tank Wagon (DTW)” means a delivered wholesale price for gasoline transported by tanker truck to a retail fuel outlet.

“Delivery Chain” means the list of all parties involved in final settlement from originating buyer to supplying seller.

“Desert Region” means a geographic area in California that includes the counties of Riverside and San Bernardino.



“Detergent Additive” means any chemical compound or combination of chemical compounds that are added to gasoline to control deposit formation and which may contain non-detergent-active components such as corrosion inhibitors, antioxidants, metal deactivators, and handling solvents.

“Ending Inventory” means the quantity (measured in thousands of barrels) of crude oil, petroleum products or oxygenates that is held as stocks at a refinery, bulk plant, public storage facility or tank farm at the end of a designated reporting period.

“EPA” means the United States Environmental Protection Agency.

“Exchange” means a transaction in which title or interest in petroleum products or crude oil stocks are transferred between firms in return for other petroleum products or crude oil stocks.

“Exchange Futures for Physical (EFP)” means a negotiated and simultaneous exchange of a futures position for a corresponding cash position, priced as a differential to a NYMEX futures reference product.

“Exporter” means a firm that is the owner of record at the point of loading for crude oil, petroleum products or oxygenates destined for export from California and has exported 20,000 barrels or more of any combination of crude oil, petroleum products or oxygenates during any month of the current or previous year.

“Exports” mean crude oil, petroleum products or oxygenates transported to destinations outside of California by means of marine vessel, rail car, tanker truck, or pipeline.

“Firm” means any person or entity engaged in any activity included in the Cal. Code of Regulations, Title 20, Public Utilities and Energy Division 2, Chapter 3, Article 3, Section 1361 et seq.

“Floating Price” means a pricing method for a spot market transaction in which the buyer and seller agree that the cash price will be determined at some future time and agree on an event or a specific timeframe and pricing reference from which the cash price will be set.

“Franchisee” means a retailer or distributor authorized or permitted, under a franchise, to use a trademark in connection with the sale, consignment, or distribution of motor fuel.

“Gasoline Blendstock” means any motor gasoline component intended for blending with oxygenates to produce finished conventional motor gasoline. It includes reformulated gasoline blendstock for oxygenate blending (RBOB) but excludes oxygenates (alcohols, ethers), butane, and pentanes plus.

“Gasoline Treated As Blendstock” means on-certified Foreign Refinery gasoline

classified by an importer as blendstock to be either blended or reclassified with respect to reformulated or conventional gasoline.

“Gross Production” means total crude oil production, including all crude oil consumed in the production process.

“Hypermart Retail Fuel Outlet” means a facility, normally attended by one or more operators, that dispenses refined petroleum products to consumers as a subset of their primary business activity. The predominant business activity consists of the sale to ultimate consumers of non-petroleum goods and services.

“Importer” means a firm that is owner of record at the point of discharge for crude oil, petroleum products or oxygenates imported to California and has imported 20,000 barrels or more of any combination of crude oil, petroleum products or oxygenates during any month of the current or previous year. Importer also includes firms delivering 5,000 gallons or more of non-California fuels to a site in California by tanker trucks.

“Imports” include crude oil, petroleum products, oxygenates and non-California fuels that are transported to California from destinations originating outside of California by means of marine vessel, rail car, tanker truck, or pipeline.

“Independent Retail Fuel Outlet Operator” means a firm, other than a Refiner or Major Petroleum Products Marketer, that owns or leases a retail fuel outlet, that is engaged in the trade or business of purchasing refined petroleum products and reselling these products to consumers without substantially changing the form of these products.

“In-tank Transfer” means the change of ownership of inventory of refined petroleum product or renewable fuel on the books and records of a terminal operator where the buyer and seller are both terminal customers in the same storage tank in California.

“Intermediate Oil Product” means a general classification of refined petroleum product that is used in refinery processes to create a finished transportation fuel.

“Inter-tank Transfer” means the change of ownership of inventory of refined petroleum product or renewable fuel where the seller delivers material from one tank to a different tank owned or leased by the buyer and where the buyer and seller are both terminal customers.

“Landed Cost” means the sum of all expenses associated with importing the product. This includes, but is not limited to, price of goods, shipment cost, insurance fees, and customs duties.

“Lease” means a crude oil or natural gas producing property.

“Lease Storage Facilities” means storage tanks used to accumulate crude oil from producing properties prior to first sale or shipment.

“Leased Capacity” means the quantity of storage capacity, in barrels, under contract by the position holder with the terminal operator by transportation fuel product type.

“Los Angeles Basin Region” means a geographic area of California that includes the counties of Los Angeles, Orange and Ventura.

“Major Crude Oil Producer” means an operator or firm that produces crude oil in California, California tidelands or the Outer Continental Shelf adjacent to California tidelands in an amount greater than 20,000 barrels during any month of the current or preceding calendar year.

“Major Crude Oil Storer” means a firm or public storage facility, excluding refiners, that owns or operates a tank farm that stores or processes more than 50,000 barrels of crude oil at any time during the current or preceding calendar year.

“Major Petroleum Products Marketer” means a firm that sells or sold ~~2050~~2050,000 barrels or more of petroleum products during any month of the current or preceding calendar year, excluding an individual service stations or truck stops. An electric utility shall not be considered a major petroleum products marketer unless it has sold or otherwise disposed of, other than through its own consumption, ~~2050~~2050,000 barrels or more of petroleum products per month during any four months of the current or preceding calendar year.

...[skipping “Major Petroleum Products Storer” through “Maximum Throughput”]

“Merchant Terminal Operator” means a firm that owns, leases, or operates a California bulk storage facility with a storage capacity equal to or greater than 50,000 barrels and provides leased capacity storage contracts to position holders for gasoline, blending components, fuel ethanol, distillates, renewable distillates, or aviation fuels.

“Mountain Region” means a geographic area in California that includes the counties of Alpine, Amador, Calaveras, El Dorado, Inyo, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sierra, Siskiyou, Trinity and Tuolumne.

“Net-Out” means a type of settlement that is consummated through an exchange of cash, instead of through physical delivery of the product.

“Non-California Fuel” means finished motor gasoline and No. 2 diesel fuel that does not meet CARB standards sold in California at retail locations that dispense transportation fuels.

“Non-California Fuel Transporter” means a firm that owns or operates tanker trucks that are used wholly or in part to deliver 5,000 gallons or more of fuels that do not meet CARB regulations to retail locations in California during any month of the current or previous year.

“North Coast Region” means a geographic area in California that includes the counties of Del Norte, Humboldt, Lake and Mendocino.

“Northern California Region” means a geographic area in California that includes the counties of Santa Cruz, Santa Clara, San Mateo, San Francisco, Merced, Stanislaus, Alameda, San Joaquin, Tuolumne, Calaveras, Mono, Alpine, Amador, Sacramento, Solano, Napa, Marin, Sonoma, Yolo, El Dorado, Placer, Sutter, Colusa, Lake, Mendocino, Glenn, Butte, Nevada, Sierra, Yuba, Plumas, Tehama, Lassen, Shasta, Trinity, Humboldt, Del Norte, Siskiyou, Mariposa, Madera, Modoc, Contra Costa, San Luis Obispo, Kern, Inyo, Tulare, Kings, Monterey, San Benito and Fresno.

“Notice of Readiness (NOR)” means a communication provided by a marine vessel owner or agent that the vessel has arrived and is ready for loading or discharge at a designated berth within a designated period of time.

“Number of Sites” means the number of different locations for a specified region of California that receive DTW fuel during a reporting period.

“OPEC” means the Organization of the Petroleum Exporting Countries.

The countries belonging to this organization are subdivided into the following geographic regions:

(a) “Middle East OPEC” means the countries of Iran, Iraq, Kuwait, Qatar, Saudi Arabia and the United Arab Emirates.

(b) “Non-Middle East OPEC” means the countries of Algeria, Libya, Nigeria and Venezuela.

“Operator” means any person drilling, maintaining, operating, pumping, or in control of any well as defined by the California Public Utilities Commission or by the California Department of Conservation’s Division of Oil and Gas, & Geothermal Resources.

“PIIRA” means the Petroleum Industry Information Reporting Act. “Pipeline” means a crude oil pipeline system or product pipeline system.

“Pipeline Delivery Subcycle” means the contract subcycle for pipeline deliveries given by the pipeline company transporting the product.

“Pipeline Exports” mean crude oil, petroleum products or oxygenates that are transported to destinations outside of California by means of a pipeline.

“Pipeline Imports” means crude oil, petroleum products or oxygenates that are transported to California from destinations originating outside of California by means of a pipeline.

“Pipeline Gathering System” means a pipeline system that collects crude oil from lease storage facilities and delivers it to a crude oil pipeline system.

“Pipeline Storage Tanks” means a storage facility owned by a pipeline firm and located at the points of origin and at terminals of pipeline segments used to maintain normal pipeline operations.

“Position Holder” means a company or firm that holds an inventory position for transportation fuel or fuels in a terminal, as reflected on the records of the terminal operator. A person holds an "inventory position of transportation fuel" when they have a contract with the terminal operator for the use of storage facilities and terminaling services for transportation fuel at the terminal. The term includes a terminal operator who owns transportation fuel in the terminal.

“Position Sequence Number” means the location identifier assigned by the pipeline company shipping the product.

“PPM” means parts per million.

“Price Basis” means the type of pricing method agreed upon between counterparties for a trade.

“Pricing Event” means a pricing occurrence for floating price contracts that was agreed to at the time of contract that relates to a specific date or range of dates associated with the title transfer that determines the value of the settlement.

“Producing Property” means property that produced crude oil during the reporting period in an amount as to require reporting of production to the California Department of Conservation’s Division of Oil and Gas, & Geothermal Resources.

“Product Pipeline System” means a system that transports petroleum products from refineries or bulk terminals or marine facilities to other terminals or interconnections with other pipelines; a product pipeline system does not include interconnections within a terminal facility or those lines connecting public storage facilities to one another. A product pipeline system includes all points of origin, terminals, working tank storage capacity and points of interconnection with product pipeline systems operated by others.

“Public Storage Facility” means a public liquid bulk storage, terminal, or warehousing operation for hire in which the owner or operator of the facility has no ownership interest in any of the materials stored on contract with its customers.

“Pump-over Transfer” means the transfer of physical inventory and ownership of refined petroleum product or renewable fuel on the books and records of a terminal operator from one storage tank to another where the buyer and seller are both terminal customers.

“Rail Car” means a railroad car that is used to transport crude oil, petroleum products or oxygenates via a network of railroad tracks.

“Rail Exports” mean crude oil, petroleum products or oxygenates that are transported to destinations outside of California by means of rail.

“Rail Imports” mean crude oil, petroleum products or oxygenates that are transported into California from destinations originating outside of California by means of rail.

“Receipts” mean delivery of crude oil, petroleum products or oxygenates into storage tanks located at the refinery, bulk plant, public storage facility or tank farm for the specified reporting period from tanker truck, marine vessel, rail car or pipeline.

“Refiner” means a firm that produces or alters products or blends to manufacture liquid hydrocarbons from oil and gas field gases, recovers liquefied petroleum gases incident to petroleum refining or produces fuel ethanol and sells those products to resellers, retailers, reseller/retailers or ultimate consumers.

“Refinery” means a facility, regardless of processing capacity, that manufactures transportation fuel products including, but not limited to, finished petroleum products, unfinished products from crude oil, unfinished oils, natural gas liquids, other hydrocarbons, and oxygenates and fuel ethanol.

“Refinery Fuel Use and Losses During the Month” means all fuel consumed at the reporting facility except non-processing losses (spills, fire losses, contamination, etc.).

“Refinery inputs” means the raw materials and intermediate materials processed at refineries to produce finished petroleum or renewable fuel products. Refinery inputs include, but are not limited to, crude oil, products of natural gas processing plants, unfinished oils, other hydrocarbons and oxygenates, motor gasoline and aviation gasoline blending components, and finished petroleum products.

“Refinery Storage Facility” means storage located on a refinery site or operated in conjunction with a refinery that primarily receives its petroleum product directly from a refiner.

“Renewable Identification Number (RIN)” means a serial number assigned to a batch of biofuel for the purpose of tracking its production, use, and trading as required by the US EPA’s renewable fuels standard (RFS).

“Retail Fuel Outlet” means an individual business location that dispenses refined petroleum products or alternative fuels to ultimate consumers.

“Retailer” means a firm that carries on the trade or business of purchasing refined petroleum products and reselling them to ultimate consumers without substantially changing their form.

“Sacramento Valley Region” means a geographic area in California that includes the counties of Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, Tehama, Yolo and Yuba.

“Sale to Other End-Users” means a direct sale to an end-user not made through company-operated retail outlets. This term includes sales to non-retail station bulk consumers including, but not limited to, agriculture, industry, and utilities, as well as residential and commercial consumers. Sales made to retail outlets other than those operated directly by the reporting company, or its affiliates or subsidiaries, must be included in the following wholesale sales categories as applicable: DTW, Branded Rack, Unbranded Rack, or Bulk.

“San Diego Region” means a geographic area in California that includes the counties of Imperial and San Diego.

“San Francisco Bay Area Region” means a geographic area in California that includes the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano and Sonoma.

“San Joaquin Valley Region” means a geographic area in California that includes the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, San Joaquin, Stanislaus and Tulare.

“Service Station” means a retail fuel outlet, normally attended by one or more operators, that dispenses refined petroleum products to ultimate consumers as the sole or predominant activity of their business operation.

“Settlement” means the final step in a transaction and represents either transfer of ownership involving the physical exchange of securities or payment and verification of the quantity of product exchanged, whichever is later.

“Shipment Issued Entity” means the party that a request for shipment was tendered to by a purchaser of product.

“Southern California Region” means a geographic area in California that includes the counties of Santa Barbara, Ventura, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Imperial.

“Spot Market Transaction” means a trade in which petroleum products, including blendstocks for finished petroleum products, are purchased on the spot for delivery by pipeline, inter-tank transfer, pump-over transfer, in-tank transfer, marine vessel, rail car discharge, or imports.

“Spot Pipeline Sale” means a sales transaction that physically changes hands at a refinery gate or other major pricing hub for delivery on a pipeline in either the Los Angeles or San Francisco spot pipeline markets. This term also includes without limitation pump-over and in-tank transfer delivery methods.

“Stocks” mean volumes of crude oil, petroleum products or oxygenates (corrected to 60 degrees Fahrenheit less basic sediment and water) of domestic origin held at refineries, bulk plants, public storage facilities or tank farms. Crude oil and petroleum products in transit by pipeline are excluded. Stocks include foreign stocks held at refineries, bulk plants, public storage facilities or tank farms only after entry through Customs for domestic consumption. Stocks of foreign origin held in bond and/or in transit by pipeline are excluded.

...[Skipping “Support Staff” through “TEOR”]

“Terminal Operator” means a firm that owns, leases or operates a bulk terminal, tank farm or public storage facility and provided storage services of 50,000 barrels or more of any combination of crude oil, petroleum products or oxygenates during any month of the current or previous year and includes refiners.

“Trader” means an individual, company, or other entity that does not have a refining presence in California but either sells or takes possession of refined petroleum products or renewable fuels, or both, via spot market transactions.

“Transportation Fuel Product” means gasoline, blending components, diesel fuel, aviation fuel, and renewable fuels.

“Truck Stop Retail Fuel Outlet” means a facility, normally attended by one or more operators, that is accessible to operators of heavy duty on-road motor vehicles and dispenses refined petroleum products to ultimate consumers as a sole or predominant activity of their business operation.

“Turnaround” has the same meaning as in Section 7872 of the Labor Code.

“Unbranded Rack Sales” means wholesale truckload sales or smaller of petroleum products where title transfers at a distribution terminal. Unbranded gasoline is not associated with a specific brand name and is typically sold by single-station retail outlets, relatively small chain retailers that specialize in gasoline sales, and large supermarket chain stores.

“Usable Storage Tank Capacity,” when used in connection with crude oil or petroleum product pipeline systems, bulk terminals, tank farms and public storage facilities, means the total liquid storage volume less that volume that cannot be used for normal operations (tank heel, basic sediment, and water, corrected to 60 degrees Fahrenheit).

“U.S.C.” means United States Code.

NOTE: Authority cited: Sections 25213, ~~and 25218(e)~~, and 25367, Public Resources Code. Reference: Sections 25354 and 25355, Public Resources Code.



### **§ 1364. Reporting Periods.**

(a) For purposes of this article, and unless otherwise indicated, each day shall be a reporting period for those entities required by Section 1366 to file daily reports. Daily reports filed pursuant to this article shall be submitted not later than 9:00 a.m. on the day following the close of the reporting period for which the information is submitted. Reports shall be deemed submitted as of the date of electronic transmittal, provided that the report is properly and legibly completed.

(ab) For purposes of this article, and unless otherwise indicated, each calendar week for the reporting period shall start on Friday for those entities required by section 1366 to file weekly reports. Weekly reports filed pursuant to the article shall be submitted no later than five (5) calendar days following the close of the weekly reporting period for which the information is submitted. Reports shall be deemed submitted as of the date of the postmark, facsimile or electronic transmittal, provided the report is properly and legibly completed.

(bc) For purposes of this article, and unless otherwise indicated, each calendar month, beginning with the first calendar month of the year following the effective date of this article, shall be a reporting period for those entities required by Section 1366 to file monthly reports. Monthly reports filed pursuant to this article shall be submitted not later than the thirtieth (30th) day following the close of the reporting period for which the information is submitted. Reports shall be deemed submitted as of the date of postmark, facsimile or electronic transmittal, provided that the report is properly and legibly completed.

(ed) Annual reports required by this article shall be submitted not later than February 15 of each year and shall contain the information required by Section 1366 for the preceding calendar year.

NOTE: Authority cited: Sections 25213, ~~and 25218(e)~~, and 25367, Public Resources Code. Reference: Section 25354, Public Resources Code.

### **§ 1366. Requirement to File.**

(a) Every refiner and nonrefiner, including importers, brokers, and traders as defined in Section 1363.2, that consummates a spot market transaction shall file a daily report containing all of the information specified in Appendix D, Sections I and II, for each transaction or settlement, respectively, occurring the preceding day. No report shall be required for a reporting period in which no transaction or settlement occurs.

(ab) Each refiner, as defined in Section 1363.2, shall file weekly reports for each California refinery containing all of the information specified in Appendix A, Section I.

(bc) Each refiner, importer, exporter and major petroleum products transporter, as defined in Section 1363.2, shall file weekly reports containing all of the information

specified in Appendix A, Section II.

(ed) Each refiner, terminal operator and major petroleum products storer, as defined in Section 1363.2, shall file weekly reports containing all of the information specified in Appendix A, Section III.

(de) Each refiner, as defined in Section 1363.2, shall file weekly reports containing all of the information specified in Appendix A, Section IV.

(f) Each merchant terminal operator, as defined in Section 1363.2, shall file California Merchant Terminal Position Holder Weekly Reports containing all of the information specified in Appendix A, Section V.

(eg) Each refiner, as defined in Section 1363.2, shall file monthly reports for each California refinery containing all of the information specified in Appendix B, Section I.

(fh) Each refiner, as defined in Section 1363.2, shall file monthly reports for each California refinery containing all of the information specified in Appendix B, Section II.

(gi) Each refiner, importer, exporter, non-California fuel transporter, marine fuels distributor and major petroleum products transporter, as defined in Section 1363.2, shall file monthly reports containing all of the information specified in Appendix B, Section III.

(hj) Each refiner, terminal operator and major petroleum products storer, as defined in Section 1363.2, shall file monthly reports containing all of the information specified in Appendix B, Section IV.

(ik) Each refiner, as defined in Section 1363.2, shall file monthly reports containing all of the information specified in Appendix B, Section V.

(jl) Each refiner and major petroleum products marketer as defined in Section 1363.2, shall file monthly reports containing all of the information specified in Appendix B, Section VI.

(m) Each merchant terminal operator, as defined in Section 1363.2, shall file California Merchant Terminal Position Holder Monthly Reports containing all of the information specified in Appendix B, Section VIII.

~~(l) Each major petroleum products marketer, as defined in Section 1363.2, required to file Form EIA782B published by the United States Department of Energy shall file monthly reports containing all of the information specified in Appendix B, Section VI.~~

(mn) Each refiner, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section I.

(no) Each refiner, terminal operator and major petroleum products storer, as defined in

Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section II.

(~~ep~~) Each major crude oil transporter, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section III, for each crude oil pipeline system.

(~~pg~~) Each major petroleum products transporter, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section IV, for each petroleum product pipeline system.

(~~qr~~) Each major crude oil producer, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section V.

(~~rs~~) Each refiner, major petroleum products marketer and independent retail fuel outlet operator, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section VI.

(~~st~~) Each refiner, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section VII.

(~~tu~~) Each refiner, terminal operator, major petroleum products storer and marine facility operator, as defined in Section 1363.2, shall file annual reports containing all of the information specified in Appendix C, Section VIII.

(~~tv~~) Each refiner, as defined in Section 1363.2, that produces gasoline meeting California specifications shall file, for each refinery that it operates, monthly reports containing all of the information specified in Appendix B, Section VII.

(~~uw~~) (1) Refiners, traders, brokers, and any other entities that import reportable cargo, as specified in Appendix D, Section III, subsection B, into California and that are either importers of record under federal customs law for such cargo or owners of such cargo prior to arrival, shall file, within 24 hours of such cargo being designated for delivery to California, reports containing all of the information specified in Appendix D, Section III.

(2) In addition to the initial report required under paragraph (1), each importer of record shall file this report for all reportable cargoes presold or resold prior to initial arrival within 24 hours of such presale or resale.

(3) In addition to the initial report required under paragraph (1), the owner of a reportable cargo shall file this report within 24 hours of initial arrival if the cargo is not sold at time of initial arrival at either CA anchorage or CA marine berth.

(4) Except as provided in Appendix D, Section III, subsection A, this report shall be filed at least 96 hours before the arrival of a marine vessel delivery of reportable cargo to California.

(x) Each refiner and major petroleum products marketer, as defined in Section 1363.2, shall file each month projections containing all of the information specified in Appendix B, Sections IX and X, respectively. Projections shall contain the specified information for each of the three months following the reporting month. Refiners' and major petroleum products marketers' projections shall contain all of the information specified in Appendix B, Sections IX and X, respectively.

(uy) Unless otherwise indicated, if a company, by its various activities, satisfies two or more of the definitions in Section 1363.2, it shall file a separate report for each such activity.

(vz) Any company required by this article to submit Petroleum Information Reports, which company contains divisions, departments, or subsidiary companies, shall report on behalf of all such divisions, departments, or subsidiaries, provided that such divisions, departments, or subsidiaries would otherwise be required to report pursuant to the provisions of this article.

(waa) All reports required by this section shall be on such form and in such format as the Executive Director may require, except as provided below.

(xbb) Any person required by this article to submit Petroleum Information Reports may in lieu thereof, submit a report made to any other government agency, provided that the requirements of Public Resources Code Section 25354(g) are satisfied, provided that the Executive Director of the CEC approves in writing to the applicant that the alternative submittal of substitute report information is acceptable and provided that such substitute report is expressed in identical units to those required by this article.

(ycc) Any person or company required by this article to submit Petroleum Information Reports in a specific form designated by the CEC may in lieu thereof, electronically submit the required information in a different format, provided that the Executive Director of the CEC approves in writing to the applicant that the alternative format of submittal is acceptable.

NOTE: Authority cited: Sections 25213, 25218(e), ~~and 25354~~ and 25367, Public Resources Code. Reference: Sections ~~25354 (a), (b), (f), (h),~~ 25355 and 25356, Public Resources Code.

### **§1367. Form and Format of Reports.**

The Executive Director of the CEC may specify the format for the various reports required by this article. The Executive Director of the CEC may additionally provide forms or other instructions to facilitate the filing or analysis of the information required by this article. The Executive Director of the CEC shall provide notice at least seven ~~thirty~~ days prior to specifying or modifying any form or format.

NOTE: Authority cited: Sections 25213, ~~and 25218(e)~~, and 25367, Public Resources Code. Reference: Section 25354, Public Resources Code.

...[skipping sections 1368.1 through 1369]

### **§1370. Confidentiality Information.**

(a) Except as otherwise provided by law, CEC staff and support staff assigned to collect or analyze data submitted in confidence, pursuant to this article, will hold unaggregated PIIRA data confidential.

...[skipping subsections (b) through (d).]

NOTE: Authority cited: Sections 25213, ~~and 25218(e)~~ and 25367, Public Resources Code. Reference: Section 25364, Public Resources Code.

### **§1371. Failure to Provide Information.**

The CEC may, after notifying any person of the failure to provide information pursuant to Sections 1361-1369 of this Article, Chapter 4.5 of Division 15 of the Public Resources Code, or the latest version of the Senate Bill X1-2: California Refinery Maintenance Guidelines (adopted by the CEC pursuant to Public Resources Code section 25354(n)(2) and accessible at the CEC's website), take such action to secure the information as is authorized by any provision of law, including, but not limited to, Public Resources Code Section 25362.

NOTE: Authority cited: Sections 25213, ~~and 25218(e)~~, and 25367, Public Resources Code. Reference: Sections 25358(c) and 25362, Public Resources Code.

## **Appendix A Information Requirements for Weekly Reports**

[...skipping sections I through IV]

V. California Merchant Terminal Position Holder Weekly Reports shall contain all of the information specified in subsections A through I for all transportation fuel products, both for the terminal as a whole and for each position holder at the terminal location. These reports shall also include the information specified in subsection J for aggregate terminal operations. All items shall be reported in barrels of product.

- A. Volume of product received from outside of the merchant terminal.
- B. Volume of product received from another position holder within the merchant terminal from either a separate tank or via an in-tank transfer.
- C. Total volume of product received.

- D. Volume of product produced from the blending or conversion of product within the merchant terminal, including the net change in inventory of both the end product and the components.
- E. Volume of product sold over the rack for distribution to an end-user retailer.
- F. Volume of product transferred to a location outside of the merchant terminal, not including product transferred via rack distribution.
- G. Volume of product transferred to another position holder within the merchant terminal, either from a separate tank or via an in-tank transfer.
- H. Ending physical inventory in tankage at the end of the reporting period after accounting for all product transferred, received, and converted, corrected to 60 degrees Fahrenheit.
- I. Capacity leased by the position holder at the merchant terminal.
- J. Additional information required for aggregate terminal operations only:
  - a. Total unleased storage capacity and unused community storage capacity for gasoline and gasoline blending components, fuel ethanol, distillates, renewable distillates, and aviation fuels.
  - b. Leased storage capacity, total unleased storage capacity, and unused community storage capacity for crude oil, unfinished oils, residual fuel oil, petroleum coke, transmix, and any other petroleum products. Reporters shall describe any products reported under the “other petroleum products” category.

NOTE: Authority cited: Sections 25213, 25218(e), 25354 and 25367, Public Resources Code. Reference: Section 25354(k), Public Resources Code.

## **Appendix B Information Requirements for Monthly Reports**

...[skipping Appendix B, Sections I through VI.H]

VII. Monthly Refining Margin Report. The Monthly Refining Margin Report shall contain all of the information detailed below in subsections A through G. The information reported in the Monthly Refining Margin Report shall be prepared in a manner consistent with the standard set forth in 15 U.S.C. § 7213(a)(2)(A)(II)(bb), to “provide reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with generally accepted accounting principles,” and in a manner that is consistent with the reporting refiner’s public financial statements, if any.

A. Company Information for the reporting entity including the company name, CEC-

assigned company ID number (if applicable), refinery name, refinery address; name, phone number, and email of a company contact.

B. Volume (in barrels) and volume-weighted average price (in dollars per barrel) of domestic and imported crude oil acquired by the refinery within the month.

C. Volume-weighted average gross gasoline refining margin (in dollars per barrel). The volume-weighted average gross gasoline refining margin must be calculated as the difference of:

1. The sum of each sales volume reported under subsection E.1. multiplied by the corresponding volume-weighted average price reported under subsection E.9., less taxes and fees, for branded rack, unbranded rack, dealer tank wagon sales, sales to other end-users, and company-owned, company-operated sales, divided by total sales of branded rack, unbranded rack, dealer tank wagon sales, sales to other end-users, and company-owned, company-operated sales; and
2. The sum of the volume of acquired by the refiner domestic crude oil and foreign crude oil multiplied by its associated volume-weighted average price, divided by the total volume of all acquired by the refiner domestic crude oil and foreign crude oil.

D. Volume-weighted average net gasoline refining margin (in dollars per barrel). The volume weighted average net gasoline refining margin shall be calculated as the difference of:

1. The volume-weighted average gross gasoline refining margin reported under subsection C; and
2. The total operational cost per barrel of gasoline sold (in dollars per barrel) reported under subsection F.

E. For wholesale gasoline sales, the following information for each of the following sales channels: branded rack sales, unbranded rack sales, bulk sales, spot pipeline sales (for physical transactions completed during the reporting period), dealer tank wagon sales, internally priced sales, and sales to other end-users:

1. Volume of gasoline sold (in barrels).
2. Volume-weighted average price including all taxes & fees (in cents per gallon).
3. The underground storage tank fee (in cents per gallon).
4. All other taxes and fees, as defined in section 1363.2. (in cents per gallon).
5. Volume-weighted average price less all applicable local, state & federal taxes (in cents per gallon).
6. The low carbon fuel standard charge (in cents per gallon).
7. The cap-at-the-rack charge (in cents per gallon).
8. Volume-Weighted Average Price, less all taxes and fees (in cents per gallon).
9. Volume-Weighted Average Price, less all taxes and fees (in dollars per barrel).

F. Sums of each of the following categories for the reporting period: total refining and distribution operational costs (in dollars), operational costs allocated to gasoline sold (in dollars), and operational costs per barrel of gasoline sold (in dollars per barrel). The operational costs allocated to gasoline sold means the percentage of any particular refining or distribution operational cost that is attributable to the refinery's gasoline production, multiplied by the value of that particular total refining or distribution operational cost.

G. A separate quantification of the total refining and distribution operational costs, operational costs allocated to gasoline sold, and operational cost per barrel of gasoline sold for each of the following categories, with each category amortized as appropriate:

1. Refinery catalyst expenses.
2. Refinery chemical expenses.
3. Combined catalyst and chemical expenses.
4. Refinery purchased water expenses.
5. Refinery total variable costs.
6. Labor expenses for refinery employees and subcontractors working at the refinery, including all employee costs such as wages, bonuses, health care coverage and other benefits, and subcontractor services costs related to day- to-day refinery operations, but not including subcontractor costs solely related to maintenance activities.
7. Amortized maintenance expenses, including subcontractor costs solely related to planned maintenance, turnaround, or unplanned outage activities.
8. Refinery rent, supplies, and miscellaneous expenses.
9. Insurance expenses.
10. Amortized capital-related expenses, and a description of each such expense, the expected period of useful life for each capital-related expense, and the related amortization schedule.
11. Taxes other than income tax.
12. Depreciation other than for amortized capital-related expenses noted in 10).
13. RINs purchases.
14. California Static Carbon Emissions Compliance.
15. Local Air Quality Management District permits and fees.
16. Effluent discharge compliance projects, permits and fees.
17. Other regulatory compliance costs, and a description of each such cost.
18. Additives purchases.
19. Fuel ethanol purchases.
20. Pipeline deliveries to terminals, also known as tariff expenses.
21. Terminaling and other truck rack expenses.
22. Truck delivery expenses for dealer tank wagon and company-owned, company-operated sales.
23. Bulk sales distribution expenses.
24. Other distribution costs, and a description of each such cost.
25. Hydrogen purchases from third party sources that occur outside the refinery.



- 26. Hydrogen purchases from third party sources that occur inside the refinery.
- 27. Purchased electricity from outside the refinery.
- 28. Purchased electricity from inside the refinery.
- 29. Natural gas, separated by natural gas for fuel use, hydrogen plant feedstock, and cogeneration, in millions of cubic feet.
  - i. Normal butane purchases.
  - ii. Isobutane purchases.
  - iii. Other liquid petroleum gas purchases.
  - iv. Gasoline blending components purchases.
  - v. Gasoline treated as blendstock.
  - vi. Unfinished oils purchases.
  - vii. All other purchased components and a description of each such component.

NOTE: Authority Cited: Sections 25213, 25218(e), 25354, 25355 and 25367, Public Resources Code. Reference: Sections 25354, 25355 and 25355.5, Public Resources Code.

VIII. California Merchant Terminal Position Holder Monthly Reports shall contain all of the information specified in subsections A through I for all transportation fuel products, both for the terminal as a whole and for each position holder at the terminal location. These reports shall also include the information specified in subsection J for aggregate terminal operations. All items shall be reported in barrels of product.

- A. Volume of product received from outside of the merchant terminal.
- B. Volume of product received from another position holder within the merchant terminal from either a separate tank or via an in-tank transfer.
- C. Total volume of product received.
- D. Volume of product produced from the blending or conversion of product within the merchant terminal, including the net change in inventory of both the end product and the components.
- E. Volume of product sold over the rack for distribution to an end-user retailer.
- F. Volume of product transferred to a location outside of the merchant terminal, not including product transferred via rack distribution.
- G. Volume of product transferred to another position holder within the merchant terminal, either from a separate tank or via an in-tank transfer.
- H. Ending physical inventory in tankage at the end of the reporting period after accounting for all product transferred, received, and converted, corrected to 60 degrees Fahrenheit.

I. Capacity leased by the position holder at the merchant terminal.

J. Additional information required for aggregate terminal operations only:

- a. Total unleased storage capacity and unused community storage capacity for gasoline and gasoline blending components, fuel ethanol, distillates, renewable distillates, and aviation fuels.
- b. Leased storage capacity, total unleased storage capacity, and unused community storage capacity for crude oil, unfinished oils, residual fuel oil, petroleum coke, transmix, and any other petroleum products. Reporters shall describe any products reported under the "other petroleum products" category.

NOTE: Authority cited: Sections 25213, 25218(e), 25354 and 25367, Public Resources Code. Reference: Section 25354(k), Public Resources Code.

IX. Refiners' projections required by Section 1366 shall contain projections of all of the following for crude oil, still gas, motor gasoline, aviation fuels, distillates, liquified petroleum gases, renewable fuels, residual fuel oil, and gasoline blending components, in thousands of barrels:

- A. Receipts by product name and product code for each month of the projection period;
- B. Refinery inputs by product name and product code for each month of the projection period;
- C. Production by product name and product code for each month of the projection period;
- D. Shipments by product name and product code for each month of the projection period; and
- E. Stocks by product name and product code for the end of each month of the projection period.

NOTE: Authority cited: Sections 25213, 25218(e) and 25367, Public Resources Code. Reference: Sections 25354(c), 25354(f)(3) and 25356, Public Resources Code.

X. Major Petroleum Products Marketers' projections required by Section 1366 shall contain projections of all of the following for foreign and domestic crude oil, motor gasoline, aviation fuels, distillate, renewable fuels, ethanol, residual fuel oil, and gasoline blending components, in thousands of barrels:

A. Receipts by product type, product name (if known), and product code (if known), including the year, month, day (if known), mode of transportation, vessel name (if known), source, source location, receiving region, receiving port or location (if known), and volume for those receipts during each month of the projection period from:

1. California refineries;
2. Other California sources;
3. Domestic sources (United States outside of CA); and
4. Foreign sources.

B. Distributions by product type, product name (if known), and product code (if known), including the year, month, day (if known), mode of transportation, vessel name (if known), purchaser, distribution region, distribution port or location (if known), and volume during each month of the projection period to:

1. California Purchasers;
2. Non-California: Foreign;
3. Non-California: Domestic (United States outside of CA);
4. Own consumption: Within California; and
5. Own consumption: Outside of California.

NOTE: Authority cited: Sections 25213, 25218(e) and 25367, Public Resources Code. Reference: Sections 25354(c), 25354(f)(3) and 25356, Public Resources Code.

...[skipping Appendix C]

#### **Appendix D Daily and Event-based Reporting Requirements**

I. The California Daily Spot Transactions Report shall contain the information detailed below in subsections A through FF. This report is required for each spot market transaction for a transportation fuel product that either occurs in California or involves a transportation fuel product that will be delivered on the spot within the California fuels market.

A. The date and time of the transaction.

B. The contract identification number for the transaction.

C. The position sequence number for the transaction.

D. The contract position identification number for the transaction.

E. The trading counterparty entity company or organization name.

F. The trading counterparty entity contact name.

G. The spot market trading location. Transactions that occur at any point north of the southernmost point in Kern County shall be attributed to the San Francisco spot market. All other transactions shall be attributed to the Los Angeles spot market.

H. Indication that the reporter of the transaction is either a buyer or seller.

I. Type of transportation fuel product for the transaction. Types of products are gasoline, blending components, diesel fuel, aviation fuel, or renewable fuels.

J. Name of transportation fuel product for the transaction. For gasoline products, the name of the product shall indicate the octane and the specification of the gasoline product. Enter the specific product name from the following list:

1. Gasolines: CARBOB, AZBOB, RBOB, CBOB, or Conventional.
2. Blending Components: Alkylate, Isomerate, Naphtha, Reformate, GTAB, or other gasoline blendstocks (specify name).
3. Diesel fuels: CARB ULSD, EPA ULSD.
4. Aviation Fuels (Commercial and Military): Jet A (including bonded turbine) and JP-5, Aviation Gasoline.
5. Renewable Fuels: Renewable Diesel, Renewable Naphtha, Sustainable Aviation Fuel, Biodiesel.

K. Volume of product contracted in thousands of barrels.

L. Contract delivery month for the transaction.

M. Contract method of delivery. For transactions that involve more than one delivery method, list all methods used. Delivery methods may include, but are not limited to:

1. Pipeline
2. Pump-Over
3. In-Tank Transfer
4. Barge
5. Marine Vessel, or
6. Other (specify)

N. Name of barge or product tanker, if applicable.

O. International Maritime Organization number of the vessel carrying transacted product, if applicable.

P. Location of delivery where title transfer is to take place.

Q. Pipeline delivery subcycle. Include descriptors such as, but not limited to:

KM West Any  
KM South L3  
KM North FH  
C1, C2, C3, C4, etc.

R. Start date of delivery of transacted product.

S. End date of delivery of transacted product.

T. Type of price basis method used for the contract, such as exchange of futures for physical (EFP), fixed price, fixed date range, floating date range, or other type.

U. Reference product for the price basis method used for EFP transactions.

V. Reference month for the price basis method.

W. Price differential between the agreed-upon price and the reference price in cents per gallon.

X. For floating price contracts, the type of event or pricing dates agreed to at the time of the contract that will be the basis for the price. For event-based pricing, include the event trigger and the duration of the pricing window. Pricing event types may include, but are not limited to:

Title Transfer (TT) date  
3-day wrap (around pump date)  
NOR (Notice of Readiness)  
1/1/1 (day before, day of, day after)  
Month average

For contracts wherein pricing dates were agreed to at time of contract, indicate "fixed dates".

Y. For floating price contracts, the date of the event on which pricing will be based.

Z. Date agreed upon at the time of the transaction when floating pricing is to start, if applicable.

AA. Date agreed upon at the time of the contract when floating price is to end, if applicable.

BB. New York Mercantile Exchange (NYMEX) price for referenced price basis in cents per gallon, if applicable.

CC. Cash price of the EFP transaction in cents per gallon, if known at the time of contract transaction.

DD. The company name of the broker or executing trader, if any, used to

facilitate the transaction.

EE. The first and last name of the contact person for the broker or executing trader, if any, used to facilitate the transaction.

FF. Indication if the transaction was reported to the Oil Price Information Service (OPIS) and, if so, who reported it.

NOTE: Authority cited: Sections 25213, 25218(e), 25354, and 25367, Public Resources Code. Reference: Section 25354(l), Public Resources Code.

II. The Daily Spot Settlements Report shall contain the information detailed below in subsections A through X. This report is required for each settlement of a spot market transaction for a transportation fuel product that either occurs in California or involves a transportation fuel product that will be delivered on the spot within the California fuels market. Each settled transaction reported in the California Daily Spot Settlements Report must have a contract identification number that matches the contract identification number of a transaction previously reported in a California Daily Spot Transactions Report.

A. The date and time of the transaction.

B. The contract identification number for the transaction.

C. The contract position identification number for the transaction.

D. The name of the trading counterparty's company, organization, or other entity. For transactions that involve more than one counterparty, include only the party that is the final recipient counterparty.

E. The first and last name of the contact person from the trading counterparty.

F. Date of the settlement.

G. Type of settlement.

H. Type of transportation fuel product. Types of products are gasoline, blending components, diesel fuel, aviation fuel, or renewable fuels.

I. Name of transportation fuel product. For gasoline products, the name of the product shall indicate the octane and the specification of the gasoline product. Enter the specific product name from the following list:

Gasolines: CARBOB, AZBOB, RBOB, CBOB, or Conventional.  
Blending Components: Alkylate, Isomate, Naphtha, Reformate, GTAB,  
or other gasoline blendstocks (specify name).

Diesel fuels: CARB ULSD, EPA ULSD.

Aviation Fuels (Commercial and Military): Jet A (including bonded turbine) and JP-5, Aviation Gasoline.

Renewable Fuels: Renewable Diesel, Renewable Naphtha, Sustainable Aviation Fuel, Biodiesel.

J. Volume of product delivered in thousands of barrels for each settlement.

K. Actual delivery method. Delivery methods may include, but are not limited to:

1. Pipeline

2. Pump-Over

3. In-Tank Transfer

4. Barge

5. Marine Vessel, or

6. Other (specify)

L. Marine vessel name for barge or product tanker, if applicable.

M. International Maritime Organization number of the marine vessel carrying the product, if applicable.

N. Location of final delivery where title transfer took place.

O. Pipeline batch designation, if applicable.

P. Delivery chain sequence. The sequence must follow the industry standard convention right to left, with originating party (buyer) on the right, party bought from (seller) to the left, until final supplying party on the far left.

Q. For floating price contracts, the type of event or pricing date(s) agreed to at the time of the contract that will be the basis for the price. For event-based pricing, include the event trigger and the duration of the pricing window.

R. For floating price contracts, the date of the event on which pricing was based.

S. Start date of actual settlement pricing window, if applicable.

T. End date of actual settlement pricing window, if applicable.

U. Invoiced volume of refined petroleum product in barrels.

V. Invoiced price of refined petroleum product in cents per gallon.

W. Date request for shipment issued for pipeline tender by seller or buyer.

X. Shipment contact information for all shipment companies involved with the transaction. Include identification of each shipment company and first and last name of the contact person at each respective shipment company involved.

NOTE: Authority cited: Sections 25213, 25218(e), 25354, and 25367, Public Resources Code. Reference: Section 25354(l), Public Resources Code.

III. California Marine Import Report. The California Marine Import Report shall contain all of the information specified below in C. and is required for any vessel originating from a non-California port and containing one or more of the gasoline products, blending components, diesel fuel products, aviation fuel products, or renewable fuel products specified in B.

A. In addition to the requirements of Public Resources Code section 25354(j), this report shall be filed less than 96 hours prior to the arrival of a marine vessel delivery to California in the following circumstances, in which case the report must be filed within 24 hours of when the cargo is designated for delivery to California or the importer of record or owner of the cargo changes, as applicable:

1. The vessel's destination is not known until less than 96 hours prior to arrival.
2. The vessel's destination changes to California less than 96 hours prior to arrival.
3. The Importer of Record or Owner of Record for a California destined delivery changes less than 96 hours prior to arrival.

B. All of the following transportation fuel products are reportable cargo subject to this report:

1. The following finished gasolines: CARBOB, Arizona CBG AZBOB, Arizona CBOB, Nevada LVBOB, Nevada CBOB, and Other Conventional Gasoline.
2. The following gasoline blending components: Alkylate, Iso-octane/Iso-octene, Isomerate, Hydrocrackate, Natural Gasoline, Reformate, Toluene, Renewable Naphtha, Fuel Ethanol, and other gasoline blending components.
3. The following diesel fuels: CARB ULSD, EPA ULSD, and Renewable Diesel.
4. The following aviation fuels: commercial jet fuel, military jet fuels, and sustainable aviation fuel.

C. This report shall contain all of the information specified below:

1. Company Information for the reporting entity including the company name, CEC-assigned company ID number (if applicable), company address, company email address, and company phone number; name, phone number, and email of a company contact.
2. Date when the vessel was designated for delivery to California.
3. Date(s) when the loading of the vessel was completed at origin location.
4. Estimated date of arrival to California. For cargoes not arriving directly at a marine berth, provide estimated arrival at anchorage. For imports of partial



- cargoes, provide estimated arrival date at secondary or tertiary marine terminal destination.
5. The type of the vessel shipping the transportation fuel product, reported as either “product tanker” or “barge”.
  6. Name of the vessel carrying the transportation fuel product. This name must match the name reported to the State Lands Commission port reporting.
  7. Product name of the transportation fuel product to be discharged at the California marine terminal, reported under the defined EIA product code. If EIA product code cannot be used, provide the name and a brief description of the product and information on its general use.
  8. The volume in barrels of transportation fuel product to be discharged.
  9. Whether the delivery of product will be a partial or full discharge. Report “partial” if obligated party is importing a portion of the entire cargo per type of product. Report “entire” if obligated party is importing the entire cargo by type of product. Report “unknown” if that information is not available to the obligated party at time of submitting this report.
  10. Name of the entity that the cargo was purchased from prior to departure from port or ports of origin.
  11. Name of the entity that the cargo was purchased from while in transit prior to arrival at initial California anchorage site or California marine terminal, if applicable.
  12. Name of the entity that the cargo was purchased from post arrival at initial California anchorage site or California marine terminal, if applicable. Change of ownership can be either prior to discharge or transfer of product at marine berth.
  13. Name of the country of origin for all foreign-sourced cargoes or the name of the state of origin for all domestic import cargoes.
  14. The name of the port of origin from which the vessel departed or will depart.
  15. Name and location of the loading terminal or berth that the vessel was loaded at with cargo.
  16. Status of the product at moment of filing the report, if known. The reported status must reflect the intended use of the product. For reports on cargoes submitted by US Importer of Record prior to discharge, the status of the product shall be reported as “purchased”. For reports on unsold cargoes submitted by owner of cargo at time of initial arrival, the status of the product shall be reported as “unsold”. For reports on cargoes used to cover contractual obligations, or use by the reporting entity, list as “Internal Use”.
  17. Name(s) and location(s) of the loading terminal or berth at which the vessel will discharge the transportation fuel product.
  18. The date on which the purchase contract was agreed to and formally executed, in date format (mm/dd/yyyy).
  19. The cargo total landed cost in US dollars of the product moved, including all costs and fees incurred in delivery.
  20. The seven-digit International Maritime Organization (IMO) ship identification number for the product tanker.
  21. The name of the tug associated with each marine barge import, if applicable.
  22. The seven-digit International Maritime Organization (IMO) ship identification

number for each associated tug, if applicable.

23. The company name of the owner of the imported transportation fuel product cargo.

24. The company name of the entity providing transportation services.

NOTE: Authority Cited: Sections 25213, 25218(e), 25354 and 25367, Public Resources Code. Reference: Section 25354(j) and (l), Public Resources Code.