

SECTION 53 - OXYGENATED GASOLINE PROGRAM

53.1 Area of Applicability

53.1.1 The area of applicability is the hydrographic basins containing the Las Vegas Valley, the Eldorado Valley, the Ivanpah Valley, the Boulder City limits, and any area within three (3) miles of any such hydrographic basins and which is within Clark County, Nevada.

53.2 Oxygenated Fuel Program Period and Oxygen Content:

53.2.1 Within the area of applicability, from October 1 to March 31 no Gasoline shall be supplied, or sold by any person intended as a final product for fueling motor vehicles, or sold at retail, or sold to a private or a municipal fleet, for consumption or introduced into motor vehicle by any person, unless the Gasoline has at least 3.5 percent oxygen content by weight.

53.2.2 The requirements of subsection 53.2.1 shall apply solely to Gasoline that is introduced into commerce within the program area, and shall not be construed in any manner to prevent or discourage the introduction into commerce, and/or combustion within a vehicle, natural gas and any other energy source which has the demonstrated ability to reduce vehicular Emissions of carbon monoxide in amounts equal to or greater than the average reduction expected from the oxygen content standards set in subsection 53.2.1 of this section.

53.2.3 Tolerance Specifications of Oxygen Content:

53.2.3.1 The specified oxygen content by weight shall not drop below the following minimum levels:

	<u>Specified Oxygen Content</u>	<u>Acceptable Minimum</u>
(a)	2.7% [when (R+M)/2 \ge 98]	2.43%
(b)	3.5%	3.15%

53.2.3.2 If any underground storage tank containing fuel is determined to exceed the specified tolerances listed above, the Control Officer shall immediately lock and tag any associated dispensing nozzles as "out of order" until such time the Control Officer determines compliance with the specified tolerances listed in 53.2.3.1.

- 53.2.3.3 Prohibition of Use: No person shall dispense or permit the dispensing of any fuel from a nozzle tagged as “out of order” until such time that the Control Officer has determined compliance.
- 53.2.4 From October 1 to March 31: Gasolines with an octane rating of 98 or greater (R+M)/2 shall contain a minimum of 2.7% oxygen by weight via the addition of MTBE, ethanol or other oxygenate approved by EPA. The requirements of Section 53.2.1 will not apply for these Gasolines.
- 53.3 All Oxygenated Gasoline shall be labeled at the dispensing pump and contain the following statement: The Gasoline dispensed from this pump is oxygenated and will reduce carbon monoxide pollution from Motor Vehicles.
- 53.3.1 The label shall be placed on the vertical surface of the pump on each side with gallonage and price meters and shall be on the upper two-thirds of the pump, clearly readable to the public.
- 53.3.2 The label lettering shall consist of block letters of no less than 20 point bold type, in a color contrasting with the intended background.
- 53.3.3 The label may include the length of the mandate season and percent oxygenate content and other information.
- 53.4 Oxygenated Gasoline Invoice Documentation:
- 53.4.1 All fuel delivery invoices, notes or orders for Gasoline containing oxygenate shall clearly state the type of oxygenate used and the intended or estimated percent of oxygen content by weight or the intended or estimated percent of oxygenate content by volume.
- 53.5 Transition and Potential Closure:
- 53.5.1 Transition after October 1:
- 53.5.1.1 If a Gasoline storage tank received its last delivery before September 15, Gasoline dispensed from that tank will be exempt from enforcement of subsection 53.2.1.1, 53.2.2.1(a) and 53.2.2.2(a) until the date that the first delivery is made after October 1.
- 53.6 The department shall prepare a report to be filed with the Clark County Board of County Commissioners on May 15 of each year regarding the results of the Oxygenated Gasoline program.

53.6.1 This will include an analysis of costs and benefits, investigations of complaints, enforcement activity, and best estimates of air quality improvements resulting from the program.

History: Initial Adoption: November 17, 1988.
Amended: June 28, 1990; July 25, 1991; July 22, 1993; October 27, 1994; July 27, 1995; August 22, 1996;
September 25, 1997; June 11, 2001; June 3, 2003; July 1, 2004; January 21, 2020.