

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-OIR-03
<b>Project Title:</b>	General Rulemaking Proceeding for Developing Regulations, Guidelines, and Policies for Implementing SB X1-2 and SB 1322
<b>TN #:</b>	265723
<b>Document Title:</b>	Resolution of the California Refinery Maintenance Reporting Guidelines, Second Edition
<b>Description:</b>	N/A
<b>Filer:</b>	Jann Mitchell
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	8/20/2025 2:53:56 PM
<b>Docketed Date:</b>	8/20/2025

**RESOLUTION NO: 25-0813-07**

**STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

*IN THE MATTER OF:*

**Refinery Maintenance Reporting  
Guidelines (2<sup>nd</sup> Ed.)**

**Docket No. 23-OIR-03**

**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**, 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: Hochschild, Gunda, McAllister, Skinner

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 14, 2025

***SIGNED BY:***

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Kim Todd  
Secretariat