

DOCKETED	
Docket Number:	23-OIR-03
Project Title:	General Rulemaking Proceeding for Developing Regulations, Guidelines, and Policies for Implementing SB X1-2 and SB 1322
TN #:	261961
Document Title:	CEC_Feb_2025_EMERGENCY_REGULATORY_ACTION
Description:	N/A
Filer:	TJ Singh
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	2/25/2025 11:14:11 AM
Docketed Date:	2/25/2025

**State of California
Office of Administrative Law**

In re:
California Energy Commission

Regulatory Action:

Title 20, California Code of Regulations

Amend sections: 1363.2, 1366, and
Appendix B of Division 2,
Chapter 3, Article 3

NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION

Government Code Sections 11346.1 and
11349.6

OAL Matter Number: 2025-0213-03

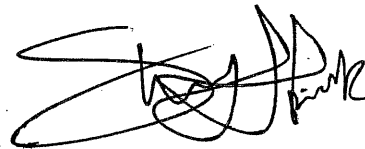
OAL Matter Type: Emergency (E)

In this deemed emergency rulemaking pursuant to Public Resources Code section 25367, subdivision (a), the California Energy Commission is amending reporting requirements for refiners and major marketers as it relates to petroleum supply and pricing.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 2/24/2025 and, pursuant to Public Resources Code section 25367, subdivision (a), will expire on 2/25/2027. The Certificate of Compliance for this action is due no later than 2/24/2027.

Date: February 24, 2025



Steven J. Escobar
Senior Attorney

Original: Drew Bohan, Executive
Director

Copy: Ross Daley

For: Kenneth J. Pogue
Director

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

EMERGENCY

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2025-0213-03	EMERGENCY NUMBER 2025-0213-03
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For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

FEB 24 2025

OFFICE OF ADMIN. LAW
2025 FEB 13 PM 4:00

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
California Energy Commission

AGENCY FILE NUMBER (If any)
23-OIR-03

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Three-Month Projection Reporting Requirements	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 1363.2, 1366, and Appendix B of Division 2, Chapter 3, Article 3
	REPEAL
TITLE(S) 20	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

PER AGENCY REQUEST
SJE
2/21/2025

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)**5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)**

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Ross Daley	TELEPHONE NUMBER (916) 980-7949	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Ross.Daley@energy.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

1/28/2025

TYPED NAME AND TITLE OF SIGNATORY

Drew Bohan, Executive Director

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 24 2025

Office of Administrative Law

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**

New language appears as underline (example) and deletions appear as strikeout (~~example~~). Existing language appears as plain text. Three dots or “...” represents the substance of the regulations that exists between the new language and existing language.

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

...[Skipping “1/1/1” through “Major Crude Oil Transporter”]

“Major Petroleum Products Marketer” means a firm that sells or sold 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, 2050,000 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 “Refinery Fuel Use and Losses During the Month”]

“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.

...[Skipping “Refinery Storage Facility” through “U.S.C.”]

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

§1366. Requirement to File.

...[Skipping subdivisions (a) through (w)]

(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.

(xy) 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.

(yz) 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.

(zaa) 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.

(aabb) 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.

(bbcc) 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), 25354 and 25367, Public Resources Code. Reference: Sections 25354, and 25355 and 25356, Public Resources Code.

Appendix B Information Requirements for Monthly Reports

...[skipping sections I through VIII, including the "NOTE" after section VIII]

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.