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California Refinery Maintenance Reporting Guidebook (Proposed Draft)

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Chapter 1. Introduction

Under the Petroleum Industry Information Reporting Act of 1980 (PIIRA),¹ the California Energy Commission (CEC) collects data about the petroleum market that is essential for the state to develop and administer energy policies in the best interests of the state and public welfare. Senate Bill (SB) X1-2 (Stats. 2023, 1st Ex. Sess. 2023, ch. 1) expanded the information that refiners and other petroleum market participants are required to submit to the CEC under PIIRA, including information regarding planned and unplanned maintenance events and turnarounds.² The California Energy Commission developed this guidebook pursuant to its statutory authority to implement and administer these maintenance reporting requirements.³

Accurate information on refinery maintenance activity is crucial to the CEC's understanding of the petroleum market and any investigations of pricing behavior. Analysis by the CEC and the DPMO indicates that insufficient supply of gasoline was a contributing factor to past price spiking behavior. The below guidelines are necessary to clarify and refine the refinery planned and unplanned maintenance and turnaround requirements introduced by SB X1-2, and thereby enhance oversight and to protect Californians from future price spikes.

Chapter 2. Authority and Interpretation

The California Refinery Maintenance Reporting Guidebook (Guidebook) is adopted under Public Resources Code section 25354(n)(2), which provides that the CEC may adopt guidelines governing the maintenance-related reporting requirements set forth in Public Resources Code section 25354(m). This Guidebook is exempt from the Administrative Procedure Act, as specified in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, as are any regulations, guidelines, or other standards adopted by the CEC pursuant to Public Resources Code section 25354(n)(2).

¹ Public Resources Code §§ 25350-25367.

² Public Resources Code § 25354 (m)

³ Public Resources Code § 25354 (n) (2).

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Nothing in this Guidebook shall be construed to abridge the powers or authority of the CEC or any CEC-designated committee as specified in Division 15 of the Public Resources Code, commencing with Section 25000, or Division 2 of Title 20 of the California Code of Regulations, commencing with Section 1001.

Unless specified otherwise by the Energy Commission, this Guidebook and any subsequent updates shall take effect upon adoption by the Energy Commission at a publicly noticed business meeting following Public Resources Code section 25354(n)(2). This Guidebook and any subsequent updates may be given retroactive effect as specified by the Energy Commission and according to statutory authority.

Except to the extent that the terms of this Guidebook provide otherwise, the definitions in California Code of Regulations, title 20, section 1363.1 and 1363.2 apply for the reporting requirements in this Guidebook.

Chapter 3. Reporting Requirement

Petroleum refineries in California must report all planned and unplanned maintenance, including turnarounds, to the CEC pursuant to Public Resources Code section 25354(m).

Chapter 4. Definitions

“Planned Maintenance” means scheduled, periodic maintenance or repair of one or more pieces of equipment within a petroleum refinery that may require the shutdown of that equipment, or that may reduce production of a petroleum refinery.

“Unplanned Maintenance” means any unplanned maintenance or repair that occurs due to emergencies or other unexpected maintenance matters, requires the shutdown of any part of the petroleum refinery for more than 24 hours, will result in any reduction in production, and was not scheduled as turnaround or planned maintenance.

Chapter 5. Maintenance Reports

I. The California Planned Refinery Maintenance Report

This report shall contain all of the information detailed below in subsections A through M for specified petroleum products.

Reporting Period:

Initial Planned Refinery Maintenance Reports shall be submitted to the executive director of the commission at least 120 days before the planned maintenance or turnaround. If the need for planned maintenance or turnaround is identified less than 120 days prior to the scheduled event, the initial report must be submitted within 48

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hours of discovering the need for planned maintenance. If any changes occur after the submission of the initial report, refiners must provide a revised report within 48 hours to the executive director of the commission, outlining the nature of the change. When described work commences, refiners must provide a revised report within 48 hours to the Executive Director of the CEC, notifying that maintenance has commenced. Final Planned Refinery Maintenance Reports with finalized dates and values shall be submitted to the executive director of the commission within 48 hours after the units resume scheduled production rates.

Informational Requirements:

- A. A brief description of planned work.
- B. The halt service date. The date that the process unit stops operation or reduces to the rate necessary for maintenance to proceed.
- C. The return-to-service date when the process unit returned to normally scheduled rates.
- D. The individual process units involved. Include units that have decreased output. For events involving multiple units with differing schedules, refiners shall specify the halt and return-to-service dates for each unit involved.
- E. The name and operational capacity, expressed in barrels per calendar day (B/CD), of each process unit.
- F. The daily decrease in output of material or substance produced by the unit, such as gasoline, diesel, or jet fuel components, expressed in barrels per day (BPD).
- G. The drawdown of inventory levels of gasoline and gasoline blending components and other material or substance produced by the unit that are controlled by the refiner at the refinery and at other storage locations in California during the planned maintenance event or turnaround. Volumes shall be expressed in barrels.
- H. The inventory levels of gasoline and gasoline blending components and other material or substance produced by the unit that are controlled by the refiner at the refinery and at other storage locations in California during the planned maintenance event or turnaround. Volumes shall be expressed in barrels.
- I. In-state-purchases from other market participants in California of gasoline and gasoline blend components and other material or substance produced by the unit

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in preparation for or during the planned maintenance event to replace lost production. Volumes shall be expressed in barrels per day (BPD).

J. Out-of-state purchases from other domestic market participants of gasoline and gasoline blend components and other material or substance produced by the unit in preparation for or during the planned maintenance event to replace lost production. Volumes shall be expressed in barrels per day (BPD).

K. Foreign Imports of gasoline and gasoline blend components and other material or substance produced by the unit in preparation for or during the planned maintenance event to replace lost production. Volumes shall be expressed in barrels per day (BPD).

L. Reductions of noncontracted sales of gasoline or other material or substance produced by the unit related to the planned maintenance event. Volumes shall be expressed in barrels.

M. The quantity of contractual supply obligations, expressed in barrels, for finished gasoline due during the planned maintenance event or turnaround.

N. Indication if the reported item is an initial estimate, revision, or final value.

II. California Unplanned Refinery Maintenance Report

This report shall contain all of the information specified on CEC form EBR1U - California Refinery Unplanned Refinery Maintenance and Turnaround Report. Specifically, this report shall contain information detailed below in subsections A through K for specified petroleum products.

Reporting Period:

For unplanned maintenance resulting in a shutdown of a refinery process lasting more than 24 hours or for unplanned process unit rate reduction events that will result in a production loss of gasoline, diesel, or jet fuel greater than 10,000 barrels per day for 3 days, each reporting company shall provide the Initial Unplanned Refinery Maintenance Report within 48 hours of the initial outage and the Final Unplanned Refinery Maintenance Report within 48 hours of the completion of repairs and after units resume normal production rates. If any changes occur to the maintenance event after the submission of the initial report, refiners must provide a revised report within 48 hours to the executive director of the commission, outlining the nature of the change. This report shall contain information on subsections A through K for specified petroleum products.

Informational Requirements:

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- A. A description of the reason for the unplanned maintenance or unit rate reduction.
- B. The name and operational capacity of each process unit involved in the unplanned outage, expressed in barrels per calendar day (B/CD).
- C. The return-to-service date and the specific halt event date of the event. For events involving multiple units at differing occurrences, refiners shall specify the halt event date and return-to-service date for each unit involved.
- D. The daily decrease in output of gasoline, diesel, and jet fuel components from each process unit affected by the unplanned outage.
- E. The drawdown of inventory levels of gasoline and gasoline blending components and other materials or substance produced by the unit that are controlled by the refiner at the refinery and at other storage locations in California during the planned maintenance event or turnaround. Volumes shall be expressed in barrels.
- F. The inventory levels of gasoline and gasoline blending components and other material or substance produced by the unit that are controlled by the refiner at the refinery and at other storage locations in California during the planned maintenance event or turnaround. Volumes shall be expressed in barrels.
- G. The volume of in-state purchases from other market participants in California of gasoline and gasoline blend components and other material or substance produced by the unit during the unplanned maintenance or rate reduction event to replace lost production. Volumes shall be expressed in barrels per day (BPD).
- H. The volume of out-of-state purchases from other domestic market participants of gasoline and gasoline blend components and other material or substance produced by the unit during the unplanned maintenance or rate reduction event to replace lost production. Volumes shall be expressed in barrels per day (BPD).
- I. The volume of foreign imports of gasoline and gasoline blend components and other material or substance produced by the unit during the unplanned maintenance or rate reduction event to replace lost production. Volumes shall be expressed in barrels per day (BPD).
- J. The volume of reductions in noncontracted sales of gasoline or other material or substance produced by the unit during the unplanned maintenance or rate reduction event. Volumes shall be expressed in barrels.

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K. The volume of reductions in noncontracted sales of gasoline or other material or substance produced by the unit during the unplanned maintenance or rate reduction event. Volumes shall be expressed in barrels.

L. Indication if the reported item is an initial estimate, revision, or final value.

Chapter 6. Additional Requirements

I. Maintenance and Turnaround Schedules

Before submitting its maintenance turnaround schedule notification to the Division of Occupational Safety and Health pursuant to Section 7872 of the Labor Code, each refiner shall, pursuant to Public Resources Code section 25354(m)(3), submit its turnaround schedule to the Executive Director of the CEC. This report shall be electronically submitted to the CEC in PDF format and should match the submission to Division of Occupational Safety and Health in detail.