



California Fuels and Convenience Alliance
2520 Venture Oaks Way, Suite 100
Sacramento, CA 95833
916.646.5999

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California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: CFCA Comments – Proposed Amendments to the California Reformulated Gasoline Regulations

The California Fuels and Convenience Alliance (CFCA) represents approximately 300 members, including nearly 90% of all independent petroleum marketers in the state and more than half of the state's 12,000 convenience retailers. Our members—predominantly small, family- and minority-owned businesses—play a vital role in California's fuel supply chain, serving local governments, emergency services, school districts, transit companies, independent fuel retailers, and the agriculture industry. Thank you for the opportunity to comment on the proposed amendments to the California Reformulated Gasoline Regulation.

We appreciate the California Air Resources Board's efforts to provide marketers, distributors, and retailers with greater flexibility to bring E15 fuel to the California market. We support the proposed amendments and believe that allowing E15 to be produced through additional downstream blending pathways can provide greater flexibility for the fuel supply chain and help facilitate the availability of E15 to California consumers. However, several implementation details should be clarified before E15 blending at retail stations can be effectively implemented. In particular, CARB should provide additional guidance regarding taxation, crediting, fuel specifications, and existing throughput limitations applicable to E85.

TAXATION AND CREDITING FOR RETAIL BLENDING

First, additional clarification is needed regarding how state and federal fuel taxation and applicable environmental credits will operate when E85 and E10 are blended at the retail station to produce E15. Specifically, CARB should clarify which party is responsible for applicable fuel taxes when E85 is used as a blending component and how the ethanol content of the resulting E15 fuel will be treated for purposes of taxation and reporting. Retail blending could create questions regarding whether taxes are assessed based on the volumes of the individual blending components, the resulting E15 volume, or another methodology.

Similarly, CARB should clarify how applicable credits, including Low Carbon Fuel Standard (LCFS) credits and Renewable Identification Numbers (RINs), would be treated when E85 is used as a blending

component to produce E15 at the retail level. Clear guidance is particularly important to ensure that credits are properly attributed and that retailers, distributors, and other parties in the fuel supply chain understand their respective reporting and recordkeeping obligations.

E85 SPECIFICATIONS AND BLEND ACCURACY

Second, additional clarity is needed regarding the specifications that will apply to E85 when used as a blending component for the production of E15. E85 can vary in ethanol content and other fuel properties from load to load. As a result, accurately producing an E15 blend at the retail level may require a sufficiently precise understanding of the composition and specifications of the E85 being used. CARB's previous evaluation of E15 contemplated the potential use of retail blender pumps and recognized that California's E85 fuel quality requirements were under review.

CARB should therefore clarify when it expects to finalize or otherwise establish the applicable E85 specifications for this purpose. CARB should also clarify what testing, certification, documentation, or other requirements will apply to E85 when used as a blending component. Establishing clear and consistent E85 specifications will be important to ensure that retailers and equipment manufacturers can develop appropriate blending procedures and that the resulting E15 product consistently meets all applicable California fuel specifications.

APPLICATION OF E85 THROUGHPUT LIMITATIONS

Third, CARB should clarify how existing Executive Orders governing E85 dispensing will apply when E85 is used as a blending component rather than sold directly to consumers as E85. Executive Orders [VR-101](#) and [VR-102](#) establish limitations on E85 throughput at gasoline dispensing facilities, including a limitation of 100,000 gallons per month, or 1.2 million gallons annually. CARB should clarify whether E85 used for the purpose of producing E15 at a retail station would count toward these existing E85 throughput limitations or if they will receive an exemption.

This distinction is particularly important because a station using E85 as a blending component could handle substantial volumes of E85 without ultimately dispensing E85 as a finished fuel to consumers. If such volumes are subject to the same throughput limitation as finished E85 sales, the limitation could materially affect the feasibility and scalability of retail E15 blending.

IMPLEMENTATION AND COMPLIANCE GUIDANCE

Finally, we encourage CARB to provide clear implementation guidance addressing the operational and recordkeeping requirements associated with retail E15 blending. This should include guidance on blend ratios, acceptable blending tolerances, documentation of the E85 and E10 components, fuel sampling and testing requirements, labeling, and responsibilities among retailers, distributors, and fuel suppliers.

Providing this guidance before retail blending begins will help ensure that retailers can make the necessary investments in equipment and procedures while providing certainty that their operations will remain compliant with California's fuel quality requirements.

Again, we appreciate CARB's efforts to facilitate the introduction of E15 into the California market and support the proposed amendments that provide greater flexibility for the downstream fuel supply chain. We believe these changes can help expand consumer access to E15 while providing marketers, distributors, and retailers with additional options for supplying the California market.

If you have any questions, please contact CFCA's Senior Policy Analyst, Gebriel Saleh, at gebriel@cfca.energy.

Sincerely,



Gebriel Saleh
Senior Policy Analyst

