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Air and Radiation Docket and Information Center
Environmental Protection Agency
Mailcode: 2822T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Docket ID No. EPA-HQ-OAR-2011-0135
U.S. EPA's Proposed Rule on Control of Air Pollution From Motor Vehicles:
Tier 3 Motor Vehicle and Emission and Fuel Standards

BP America (BP), a major producer of oil and natural gas in the U.S., appreciates the opportunity to submit comments on the proposed rule. We invest more in the US than any other energy company, some \$55 billion over the last five years. These investments will help meet the world's demand for increasing volumes of secure, green and affordable energy.

EPA's proposed Tier 3 rule would require major investments at BP's Whiting, Indiana and Toledo, Ohio refineries. With a combined refining capacity of 563,000 barrels of crude oil per day, these two refineries provide a significant amount of refined products to the Midwest.

BP supports the comments provided to EPA by API and AFPM and would like to further emphasize the following major issues.

Additional Lead Time for Refinery Investments is Necessary - Achieving the proposed January 1, 2017 effective date raises major concerns across BP. The availability of sufficient sulfur credits under the proposed Averaging, Banking and Trading program also raises major concerns. Even the availability of credits from 2014 will not be known until early 2015, less than 2 years from EPA's proposed effective date. Completing the necessary engineering, permitting, procurement, construction and startup by January 1, 2017 is highly unlikely. Pursuing completion of the investments on a compressed schedule also leads to increased costs. In order to complete the necessary investments and minimize unnecessary costs, BP proposes that EPA provide five years of lead time from the date the final rule is published. BP also agrees with API and AFPM's conclusion that the 10 ppm annual average gasoline sulfur standard is not necessary on January 1, 2017 as asserted by EPA.

Maintain Current Sulfur Cap - BP recommends that EPA maintain the current 80 ppm refinery gate per gallon cap and 95 ppm downstream per gallon cap as proposed. Reducing the sulfur cap is unnecessary and adds to potential supply issues during turnarounds and upsets.

Establish E10 as Emissions Test Fuel – BP supports a change in EPA’s federal emissions test fuel from Indolene to a fuel representative of the predominant, in-use gasoline. Recognizing the huge uncertainties underlying E15’s potential market penetration and the predominance of E10 in the market today, BP recommends that EPA adopt E10 as the test fuel for the foreseeable future. If/when E15 were to become the predominant, in-use gasoline, then and only then, should EPA adopt E15 as the test fuel.

Standards for E51–83 - Meeting the ultimate goals of the Renewable Fuel Standard is highly dependent upon the expansion of E51–83 into the marketplace. BP, therefore, supports EPA’s proposal to allow the use of butane and natural gas liquids to manufacture E51-83. BP also agrees that the final blend should meet the same sulfur, RVP, and benzene standards otherwise applicable to gasoline. BP does not support imposing tighter standards on E51-83, such as EPA’s proposed 0.2 wt. % benzene.

EPA has proposed alternate conformance demonstrations with RVP requirements for E51-83. Under option 2, the blender could use a blending model and measure the RVPs of the blending components. Alternatively the blender could use reduced frequency testing to verify vapor pressure conformance. BP is supportive of these options which will provide greater flexibility for E51-83 blending.

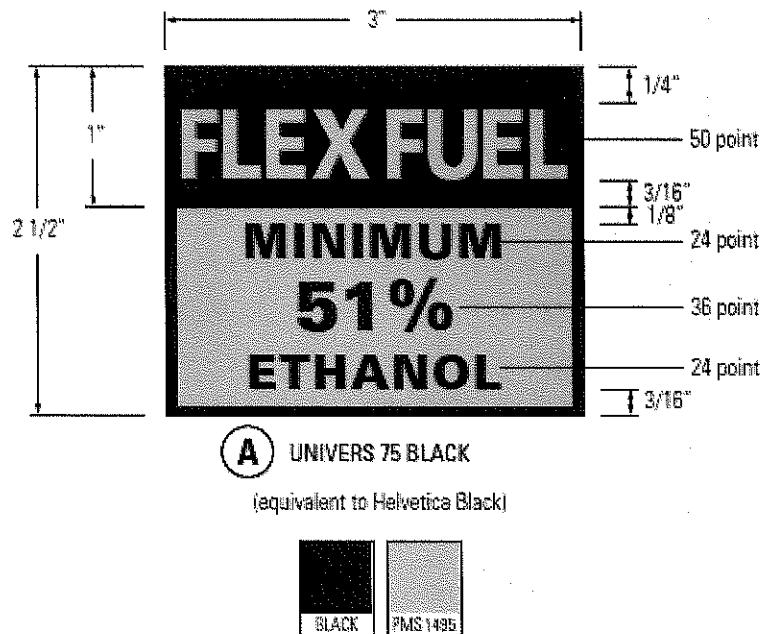
Standards for Butane and Natural Gas Liquids (NGLs) - BP supports the limits on butane composition that match those used now for butane blending of gasoline at the terminal. BP’s experience has shown that only relatively low levels (one to few percent) of butane are needed to bring ethanol blends into vapor pressure conformance with ASTM D 5798 specification. In general, one volume percent butane raises vapor pressure of flex fuel about 1 psi. Hence an upper limit on butane is self-determined by the vapor pressure limits of D 5798 specification. Limits on other components in E51-83, including NGLs, should be restricted to their total contribution toward regulated properties on the final E51-83 blend. Imposing the same limits on individual blending components, would severely limit the blending of such components. BP also recommends that EPA not restrict the use of NGLs to natural gas processing plants. If NGLs are used in the blending of E51-83 and the final blend conforms to the necessary requirements, restricting the source of NGLs is unnecessary.

BP further recommends that EPA not impose upper limits on the concentration for butane and NGL’s in E51-83 blending, however, does support adoption of reasonable standards to facilitate such blending.

For additional flexibility, BP also encourages EPA to allow blending of pentanes as a means of increasing flex fuel vapor pressure to allow conformance with ASTM D 5798 specification for flex fuel blends.

Establish Gasoline Deposit Control Requirements for E51-83 – BP recommends that gasoline deposit control requirements be imposed upon E51-83 and mid-level ethanol blends. It is in consumers' best interest to establish a deposit control requirement for all spark-ignition fuels, in order to protect their engines.

Pump Dispenser Label for E51-83 - BP supports the use of the following pump dispenser label for E51-83 and a consumer education program on flexible fuel vehicles, E51-83, E16-50 and the terms "flex fuel" and E85.



BP appreciates this opportunity to comment on the proposed rule. Please feel free to contact me at 216-416-1221 or at robert.leidich@bp.com if you have any questions or comments.

Sincerely,

Robert L. Leidich

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