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FAQs: California Gas Station Sales Volumes Records

Q. Why is gas-station level gasoline sales volume data important?

A. Obtaining sales volume data at the gas station level is critical to:

- analyze and measure the impact of local strategies to reduce gasoline consumption, such as investment in local EV charging infrastructure, EV subsidies, education campaigns, and mass transit, biking, and walking improvements, and refine those strategies;
- understand the environmental, health, safety, congestion, equity, economic and other impacts of local gasoline sales volumes in surrounding areas; and
- give cities an important tool to take control over the flow of gasoline within their borders.

Q. Why isn't aggregated gasoline sales volumes at the city level sufficient?

A. The California Energy Commission (CEC)'s city-level data is not complete. Coltura did obtain the CEC's aggregated gasoline sales volumes data at the city level for those cities with 4+ gas stations. However, many gas stations did not submit the required report to the CEC, and there was no way to tell **which** gas stations didn't report. As a result, the CEC itself admits that total sales volumes were [underreported by 10% to 30%](#) over each of the last ten years.

Below are some examples of the data reported:

City	# of stations reporting			Gasoline sales (gallons)		
	2016	2017	2018	2016	2017	2018
ADELANTO	5	5	6	3,810,051	3,918,141	6,245,218
BERKELEY	19	19	16	24,747,508	23,946,934	20,656,729
FREMONT	39	38	36	90,809,747	92,673,096	78,046,008
LOS ANGELES	343	331	327	589,771,630	637,135,862	573,568,866
MENLO PARK	11	11	9	17,681,535	17,341,373	13,786,302
MOUNTAIN VIEW	19	18	14	75,681,130	28,006,024	42,829,785
OAKLAND	74	74	74	91,707,493	99,095,020	94,141,202
PALO ALTO	12	10	8	18,760,193	17,145,342	13,137,391

SACRAMENTO	185	172	178	303,989,466	304,689,625	290,456,937
SAN FRANCISCO	81	80	70	125,198,349	124,752,611	103,184,656
SAN JOSE	181	171	166	335,506,415	329,733,983	315,671,471

Coltura’s statistician reviewed the data and determined that without the underlying source data, it would not be possible to develop accurate city-level gasoline sales volume figures.

Further, aggregated city-level data (even if it were accurate) is insufficient to fully analyze neighborhood health impacts of gas station pollution such as release of benzene vapors, and the effectiveness of local programs to reduce gasoline consumption.

Q. Why doesn’t the CEC have accurate reports of gasoline sales from gas stations?

A. The CEC is [legally obligated to impose penalties of no less than \\$500 and no more than \\$2,000/day for gas stations that fail to submit the CEC A-15 report](#). However, it has not enforced the reporting law. As a result, the CEC estimates that some 2,000 of the 10,000 gas stations in California fail to submit the CEC A-15 report each year.

Q. Don’t California cities already track and report how many gallons of gasoline are sold at their gas stations?

A. Coltura’s research disclosed only one city that publicly reports gasoline sales: Chico. But Chico’s numbers varied widely from the CEC’s numbers:

	2015	2016	2017
CITY	Total Gasoline Sales	Total Gasoline Sales	Total Gasoline Sales
CHICO (per CEC)	36,370,150	43,902,839	44,826,568
Chico's own reports	23,021,357	20,916,715	20,597,450

Q. Why can’t cities get the gasoline sales volume data for gas stations in the city through sales tax documents?

A. The California Department of Tax and Fee Administration (CDTFA) [requires gas stations to report sales tax collected on all items sold, including gasoline](#). However, the CDTFA does not share data with the CEC or anyone else. Also, the Board of Equalization explained in an email: “We charge the excise tax on gasoline and diesel fuels at the distributor level and not at the pump. So we cannot tell where the fuel is ultimately sold. Also, on the sales tax side, retailers (such as gas stations , most of which are also convenience stores) report to us their total taxable sales amounts and do not itemize each product, as the sales tax is the same for all taxable sales products.”

One city we spoke with attempted to estimate gasoline sales using total reported revenue and California average gas prices, and assuming 90% of total revenue is gasoline, 5% is diesel, and 5% is concession sales. Their estimates tended to vary from the CEC city-level data, making the accuracy of those estimates questionable.

Q. Why do cities need gasoline sales volume info? Aren't they already tracking GHGs from transportation?

A. Our research showed that cities in California generally use either or both of two methods to determine GHG emissions from transportation:

1) [CARB's EMFAC](#) (EMissions FACtor) and

2) ICLEI's (International Council for Local Environmental Initiatives) [U.S. Community Protocol](#) for Accounting and Reporting of Greenhouse Gas Emissions [Appendix D: Transportation and Other Mobile Emission Activities and Sources](#) (July 2013).

These methods of calculating GHGs from transportation rely on assumptions, estimates and derivations from regional or state-level data. As such, these metrics do not provide cities with a useful tool to determine whether their policies and practices are having an impact on GHG emissions and to hold themselves accountable for emissions reduction. Current measures of VMT are so derivative that even if every resident of a city were to stop driving their gas cars, the results of that change would not necessarily register on the ICLEI and EMFAC calculations.

In contrast, gasoline sales relate directly to GHG emissions. Every gallon of gasoline burned sends 20 pounds of CO₂ into the atmosphere. Reducing gasoline sales from a city's gas stations means reducing CO₂ emissions enabled by that city.

Q. Why shouldn't cities rely on electric vehicle (EV) adoption rates as a proxy for reducing transportation GHG emissions?

A. EV adoption rates and [EV prevalence rates](#) provide helpful data, but EV adoption or prevalence alone does not necessarily correlate to or result in GHG reductions. The effectiveness of EV adoption varies based on how many miles the EVs drive, and how many gasoline miles those EV miles replace. If an EV sits idle, or doesn't replace a gasoline vehicle, or replaces a gasoline vehicle that wasn't using much gasoline, that EV is not having a material impact on transportation GHGs. To calculate the impact of EV adoption rates on GHG emissions, it would be necessary to know how many gasoline miles are being displaced by EVs.

In contrast, reducing gallons of gasoline sold is direct proof that a city is reducing the amount of a fossil fuel supplied within its boundaries to be burned in vehicles for transportation.

Q. Why should a city focus on gasoline sales for its transportation emissions reduction goals – especially given that gasoline purchased in the city might be burned elsewhere, or non-residents might buy gas in the city?

A. Virtually all gasoline used by the public flows through gas stations. Each city contributes to GHGs from gasoline to the extent that its gas stations sell gasoline -- regardless of where that gasoline is burned. If a city does not take accountability for reducing the amount of gasoline sold within its borders, and instead allows its gas stations to be an inexhaustible carbon spigot, it is failing to address a

key element of transportation emissions. While it is difficult for a city to measure and control where or to what extent drivers buy or burn gasoline, a city can measure precisely the extent to which it's enabling burning of gasoline, by measuring how much gasoline is dispensed by the city's gas stations.

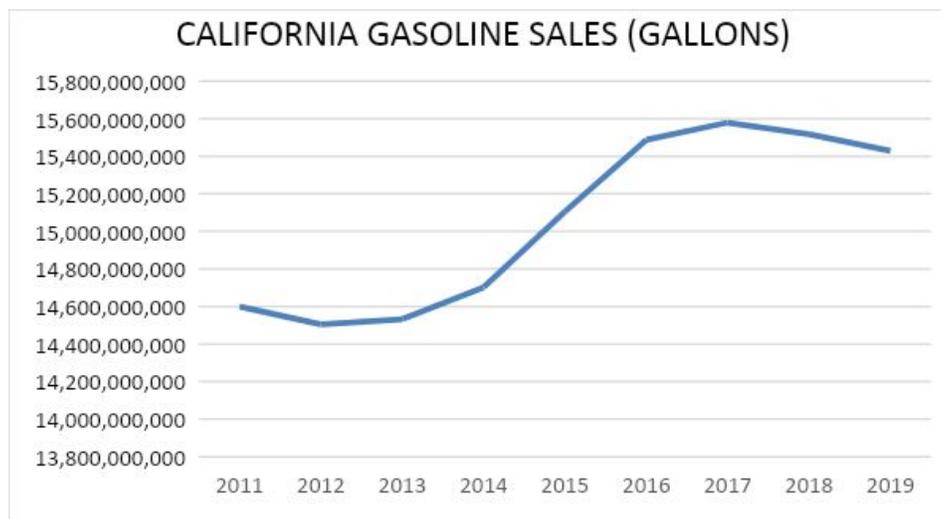
If a city succeeds in hitting gasoline sales reduction goals each year, a possible explanation is that some residents are buying their gasoline in a neighboring city instead. But if that neighboring city also tracks gasoline sales volumes, it becomes easier to understand gasoline consumption patterns. Cities with increases in gasoline sales can take measures targeted to the gas stations where the increases are occurring.

As more cities adopt the goal of reducing gasoline sales and implement targeted measures that are proven effective to do so, the more the playing field will be leveled between gasoline and non-gasoline options. As more cities engage residents in the goal of reducing gasoline sales, the more likely drivers will switch to non-gasoline alternatives.

Additionally, cities with a stated goal of reducing gasoline sales signal to drivers, automakers, utilities, oil companies and other stakeholders that the end of the gasoline era is coming, which will serve to increase investments in non-gasoline alternatives, which will further accelerate that end of gasoline.

Q. Why is it important for cities to reduce gasoline sales?

A. Even with current programs and incentives in place to reduce gasoline use, [gasoline consumption](#) is not falling as it will need to in order to meet California's GHG reduction goals:



While climate action plans should include strategies for reducing transportation GHGs, such as reducing VMT and improving EV charging infrastructure, they also need to measure success in terms of reduction in gasoline sales.

SB 350, a state law regarding reducing GHG emissions in California, originally included a requirement to reduce state gasoline consumption 50% by 2030. In the face of oil industry opposition, the provision did not make it into the final bill. With gasoline sales volume data, cities can continue what the state started, and work to achieve the 50% gasoline reduction goal at the city level.

Q. How can a city reduce gasoline sales within its borders?

A. There are many ways a city can reduce gasoline sales. Here are a few examples of what a city can do:

- Commit to reduce gasoline consumption from city gas stations by 5% a year from a baseline; engage residents in doing their part to help achieve the goal; celebrating milestones
- Challenge neighboring cities to a contest to see which city can reduce its gasoline sales the most
- Give contracting preference to vendors that use EVs for delivery of goods/services; incentivize local businesses to give similar contracting preferences.
- Incentivize/ improve alternative mobility options such as transit, bike lanes, sidewalks and micromobility (e-scooters and e-bikes)
- Encourage/incentivize working from home/videoconferencing
- Launch EV test drive programs such as EV Ride & Drives and EV lending
- Incentivize Transportation Network Companies such as Uber and Lyft to use electric vehicles
- Launch community education campaigns, such as requiring/incentivizing driver's ed programs and auto dealerships to provide education on the harms of gasoline and benefits of EVs.
- Enforce existing cleanup and pollution control requirements for gas stations (which may result in some of them closing)
- Raise awareness of the prevalence of public EV charging with highly visible signage at charging stations, highway exit signs for every roadside fast charger, and trailblazing or wayfinding signage at busy intersections
- Add electric vehicle charging infrastructure:
 - a. Pass an ordinance [requiring EV charging in all new construction](#);
 - b. Require or incentivize multi-unit dwellings, workplaces and big box shopping destination gas stations, such as Costco, Sam's Club and Kroger's, to a) install EV charging or b) provide mobile EV charging such as [Freewire's Mobi EV Charger](#)



To assess the success of these measures, the city must have data on how many gallons of gasoline are sold at its fuel stations.

Q. How can cities use gas station-level fuel sales volume data?

A. Unlike larger entities like counties and states, cities can more easily determine whether policies to reduce gasoline sales are working or not, and why. Cities can better understand the story behind the gasoline sales figures, particularly as relates to areas such as:

- Commute lengths

- Alternative mobility options such as transit, bike lanes, and micromobility (e-scooters, e-bikes)
- Working from home/videoconferencing
- Population changes
- Gas station closures/new opens
- EV adoption rates
- Community education campaigns
- What's happening in adjacent cities

Q. Does the CEC have a legal basis for refusing to provide the gas station-level gasoline sales data?

A. In response to Coltura's Public Records Act [request](#) to the CEC for sales volume data at the gas station level, the CEC relayed the request to the California Fuels and Convenience Store Alliance (CFCA), a trade association for wholesale and retail marketers of gasoline.

The CFCA asserted that the data is a trade secret, and the CEC accordingly has refused to release it.

Even assuming the data is a trade secret, under California law there is a public interest exception to trade secret protection. For example, in *Uribe v. Howie*, 19 Cal.App. 3d 194, 210 (1971), a court required a county agriculture commission to release reports filed by pest control applicators concerning the pesticides sprayed on crops to farmworker representatives. The court held that the public interest of disclosure outweighed the trade secret claim of the pest control applicators.

In *State Farm Mut. Auto. Ins. Co. v. Low*, 112 Cal. Rptr. 2d 574, 578 (Ct. App. 2001), review granted and opinion superseded, 38 P.3d 432 (Cal. 2002), and aff'd sub nom. *State Farm Mut. Auto. Ins. Co. v. Garamendi*, 32 Cal. 4th 1029, 88 P.3d 71 (2004), as modified (June 9, 2004), the California Supreme Court held that even if zip-code specific insurance premium records are trade secrets, they are not exempt from disclosure because the public interest is better served by disclosure than by nondisclosure.

We believe the public interest in disclosure outweighs trade secret protection.