

WILLIAM J. PIEL

1 BY MR. MILLER:

2 Q. What I'm trying to
3 understand, if we look at this quote, it
4 says: The concept of reformulated
5 gasoline, RFG, was originally generated,
6 developed and promoted by industry.

7 A. Yes.

8 Q. Is that consistent with your
9 understanding that the original source of
10 the idea was with industry?

11 MR. BROMME: Objection. No
12 foundation.

13 THE WITNESS: What I recall
14 is the EPA was actually promoting
15 using methanol blends -- or not
16 methanol blends, but actual
17 methanol fuel as a way to, in
18 nine or ten various cities, and
19 the refining industry said here's
20 another option, that, you know, we
21 can reformulate gasoline to reduce
22 the emissions, you know, that
23 would be equal to or better than
24 you would get by substituting or

WILLIAM J. PIEL

1 mandating the use of methanol
2 vehicles in gas -- or, you know,
3 methanol vehicles in these eight
4 or nine various cities. So it
5 was, you know, it was brought to
6 the attention the oil industry,
7 refining industry brought this
8 forward as an alternative to what
9 the EPA had initially proposed
10 which was methanol cars being put
11 into nine various cities.

12 BY MR. MILLER:

13 Q. Okay. You said as an
14 alternative to this. So basically the
15 EPA suggested methanol as a potential
16 ingredient for gasoline that might
17 improve --

18 A. No. The EPA actually, as I
19 remember, supported -- originally
20 supported the use of methanol, just
21 methanol and eliminate gasoline, but to
22 do that would be very difficult for the
23 refine -- the auto industry and refining
24 industry because you would have to

WILLIAM J. PIEL

1 develop totally new cars to -- that
2 would just run on methanol fuel, not
3 gasoline, but methanol fuels.

4 Q. Okay.

5 A. And that would take -- be
6 long, expensive and take a lot of time to
7 realize the benefits of any such program.

8 Q. Okay. And then you said
9 that the oil industry developed the
10 alternative of not using ethanol but
11 instead using an alternative product
12 which was what?

13 A. Reformulated gasoline, but
14 it wasn't the ethanol. You had said
15 ethanol. I was saying methanol.

16 Q. I'm sorry. I hope I said
17 methanol.

18 A. No, you said -- I was
19 listening to you.

20 Q. Okay.

21 A. To the concept of using a
22 methanol fuel, the refining industry had
23 developed the concept -- another
24 alternative to achieving the clean air

WILLIAM J. PIEL

1 benefits and they blended or came up with
2 this idea or concept of changing the
3 properties of gasoline to reduce the
4 emissions and they had -- I think prior
5 to 1990 but I can't remember exactly
6 there was a number of demonstration
7 programs conducted by various refining
8 industry people to illustrate how
9 effective reformulated gasolines can
10 reduce emissions from existing vehicles.

11 Q. And was MTBE one of the key
12 ingredients in that reformulated gasoline
13 that was just discussed?

14 MR. MOLLER: Objection to
15 the use of the word "key" as being
16 a subjective term and, therefore,
17 vague.

18 THE WITNESS: MTBE as I
19 recall was, was a popular
20 ingredient. Many of the refiners
21 demonstration programs had used
22 MTBE as a way of achieving the
23 favorable properties that would
24 make the gasoline burn cleaner.

WILLIAM J. PIEL

1 Properties were such as reducing
2 aromatic content, improving the
3 distillation properties or
4 temperatures of the gasoline, as
5 well as reducing vapor pressure.
6 These were things that made the
7 gasoline -- reduced the emission
8 such or the gasoline in the car
9 and MTBE was one of the more
10 useful or helpful ways to achieve
11 those gasoline properties.

12 BY MR. MILLER:

13 Q. Okay. Could you tell me the
14 names of some of the members of the oil
15 industry that participated in
16 demonstrating that reformulated gasoline
17 could improve air quality during the time
18 period we're talking about which is
19 before the 1990 Clean Air Act amendments?

20 A. Just to rephrase your
21 statement a little bit --

22 MR. MOLLER: Objection. I
23 think the question's vague.

24 THE WITNESS: Yeah, I was

WILLIAM J. PIEL

1 going to say, right, would you say
2 it again 'cause it was a little
3 vague. I was trying to understand
4 it.

5 BY MR. MILLER:

6 Q. Yes. You mentioned some
7 members of the oil industry had
8 demonstration programs --

9 A. Right.

10 Q. -- to show that reformulated
11 gasoline would improve air quality;
12 correct?

13 A. Right, right.

14 Q. And this was occurring
15 before the 1990 Clean Air Act amendments;
16 is that correct?

17 A. Right.

18 Q. Okay. Could you tell me
19 the names of some of the members of the
20 oil industry that had such programs that
21 you just described?

22 A. I specifically remember like
23 Phillips and ARCO had individual programs.
24 They weren't combined. But I --

WILLIAM J. PIEL

1 Q. This would be the Atlantic
2 Richfield Company?

3 A. Right.

4 Q. Okay.

5 A. Yeah, I mean ARCO Chemical
6 did not make gasoline. I mean we weren't
7 in the business to make gasoline.

8 The -- so Atlantic
9 Richfield, ARCO Products Division,
10 Philips Oil, and I sort of recall being
11 about four programs, four individual
12 programs by four individual different
13 companies that were independent programs,
14 but I can't recall who the other programs
15 were, but I sort of recall Philips and I
16 recall the ARCO program.

17 Q. Okay. Now, with that in
18 mind, do you agree or disagree with this
19 statement: The concept of reformulated
20 gasoline, RFG, was originally generated,
21 developed and promoted by industry not
22 the Environmental Protection Agency or
23 other parts of the federal government?

24 MR. MOLLER: I'm going to

WILLIAM J. PIEL

1 object. That question was asked
2 and answered several times
3 already.

4 THE WITNESS: No, I agree,
5 the EPA did not initiate
6 reformulated gasoline.

7 BY MR. MILLER:

8 Q. Okay. If you look a little
9 bit lower in the same document, the third
10 bullet from the bottom it states:
11 Throughout much of 1991 EPA participated
12 in a regulatory negotiation process with
13 the petroleum industry, oxygenate
14 industry, state and local organizations,
15 environmental groups, auto manufacturers,
16 organizations representing the public and
17 other governmental agencies to lay out
18 the framework for RFG rule making.

19 Do you see that?

20 A. Yes, I do.

21 Q. Are you familiar with that
22 subject?

23 A. Yes, I am.

24 Q. Were you involved in some of