

Katie Hobbs
Governor



Paul E. Brierley
Director

ARIZONA DEPARTMENT OF AGRICULTURE

WEIGHTS AND MEASURES SERVICES DIVISION

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To the Regulated Industry:

In order to proactively address a pending gasoline supply issue, Governor Katie Hobbs petitioned the U.S. Environmental Protection Agency (EPA) for a waiver of the Cleaner Burning Gasoline (CBG) 7.0 pound per square inch (psi) Reid Vapor Pressure (RVP) requirements from May 31, 2024 to June 14, 2024¹. The purpose of the waiver request is to allow the continued sale of CBG currently in transit or at terminals that may have a higher RVP due to delays in the pipeline transportation system. EPA granted the waiver today.

As of **April 25, 2024**, the EPA is waiving the CBG RVP requirements at retail, fleet, and non-retail locations where CBG is intended as a final product for the fueling of motor vehicles from **May 31, 2024, to June 14, 2024**, in the CBG-covered area². EPA's enforcement discretion will continue until midnight on **June 14, 2024**. This waiver only permits the continued sale of CBG already in the market or in transit to the market at the time of the waiver's issuance. It does not permit the sale of any gasoline other than those meeting the CBG requirements. To be clear, the following is required under this waiver/enforcement discretion:

- This waiver only applies at retail, fleet, and non-retail locations where CBG is intended as a final product for the fueling of motor vehicles. During the waiver period, WMSD will use enforcement discretion should the CBG exceed the maximum 7.0 psi RVP and appropriate documentation demonstrate compliance with the waiver requirements.
- All CBG input to the pipeline must meet the requirements for a finished CBG product with an RVP of 7.0 lb psi per A.R.S. §§ 3-433(F), 3-3493, 3-3494, and A.A.C. Title 3, Chapter 7, Article 7. CBG currently in transit that does not satisfy this requirement may continue to be distributed.
- Retail, fleet and non-retail locations receiving CBG from locations other than terminals in the Phoenix area shall demonstrate a transition to a 7.0 psi RVP by June 1, 2024.

The Division will exercise its enforcement discretion regarding the statutes and administrative rules found in A.R.S. Title 3, Chapter 19 and A.A.C. Title 3, Chapter 7, Article 7 with respect to the RVP requirements of CBG within the CBG-covered area as stated above for the same period.

The Division will notify regulated parties if necessary due to new developments. If you have any questions regarding the exercise of enforcement discretion, you may contact us at dwm@azda.gov.

Sincerely,
Vince Wolpert
Vince Wolpert
Compliance Manager

¹ A.R.S. § 3-3433(F).

² Cleaner Burning Gasoline (CBG)-Covered area as defined in A.A.C. R3-7-701.