

**WAIVER OF REID VAPOR PRESSURE (RVP) REGULATIONS OF
CONNECTICUT STATE AGENCIES §22a-174-20(a)(11), §14-327d-2
and the ASTM Designation D-4814-19a FOR GASOLINE
DURING THE COVID-19 EMERGENCY**

In accordance with Executive Order 7M, dated March 25, 2020, issued by Governor Ned Lamont in furtherance of his declaration of a public health emergency and a civil preparedness emergency resulting from the global pandemic COVID-19 coronavirus, the Commissioner of the Department of Energy and Environmental Protection (DEEP) and the Commissioner of the Department of Consumer Protection (DCP) issue the following Joint Waiver pertaining to regulatory requirements of Reid Vapor Pressure or “RVP.”

The Regulations of Connecticut State Agencies (RCSA), Section 22a-174-20(a)(1)(K) defines “Reid Vapor Pressure” or “RVP” as the vapor pressure of a liquid in pounds per square inch absolute at one hundred (100) degrees Fahrenheit as determined by the American Society for Testing and Materials method D5191-07 “Standard Test Method for Vapor Pressure of Petroleum Products” (Mini Method). RVP is further defined in the Department of Consumer Protection’s (DCP) regulations found in RCSA Section 14-327d-2.

Specifically, Section 22a-174-20(a)(11) [previously codified at 22a-174-20(a)(5)] states, in pertinent part, “Between May 1 and September 15 the owner or operator of any gasoline storage tank farm shall not offer for sale, sell or deliver to any dispensing facility in Connecticut gasoline with a Reid Vapor Pressure in excess of 9.0 pounds per square inch.” This regulatory requirement is in place to limit evaporative emissions from gasoline that contribute to the formation of ground-level ozone during the warmer months.

Due to the COVID-19 public health threat, Governor Lamont’s directive to stay at home and also the CDC directive to limit travel, there is an oversupply of gasoline meeting winter season volatility RVP requirements. In accordance with Executive Order No. 7M, DEEP and DCP are focused on temporarily lessening certain administrative requirements which may be difficult to achieve by the regulated community at this time or disruptive to an effective response to the global pandemic. DEEP and DCP have agreed to provide relief from state RVP requirements during this emergency.

Fuel volatility standards are required by state regulation to shift on April 1st to a lower volatility to comply with ASTM Designation D-4814-19a. The unexpected oversupply of higher volatility fuel is occupying bulk fuel storage systems, in many cases preventing distributors from being able to shift their supplies to the lower volatility fuel.

DEEP and DCP understand the industry’s concern that this extreme and unusual fuel supply circumstance will prevent the distribution of season-appropriate fuel. To alleviate the situation, in accordance with the authority vested in us by Executive Order 7M, we are issuing a waiver from the fuel volatility requirements and ASTM Designation D-4814-19a requirements

referenced in RCSA Section 14-327d-2 until May 1, 2020. In addition, we are issuing a waiver from the RVP requirements referenced in Section 22a-174-20(a)(11) until June 1, 2020.

DEEP and DCP will continue to monitor the supply situation and notes that additional flexibility may be granted as deemed necessary. This waiver does not supersede any other statute or regulation in effect or under the purview of the Department of Energy and Environmental Protection or the Department of Consumer Protection related to the regulation of fuel, ASTM procedures and RVP.

Executed this 27th day of March, 2020.

/s/ Katherine S. Dykes

Katherine S. Dykes
Commissioner of the Connecticut Department of Energy and Environmental Protection

/s/ Michelle H. Seagull

Michelle H. Seagull
Commissioner of the Department of Consumer Protection