



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL - 2 2015

OFFICE OF
AIR AND RADIATION

The Honorable F. James Sensenbrenner, Jr.
U.S. House of Representatives
Washington, D.C. 20515-4905

Dear Congressman Sensenbrenner:

Thank you for your May 12, 2015, letter to Administrator Gina McCarthy regarding the U.S. Environmental Protection Agency's administration of Section 211(h)(1) of the Clean Air Act (CAA) restricting the Reid Vapor Pressure (RVP) of gasoline sold during the summer months in the United States. We appreciated your questions and concerns regarding this Section of the CAA as it applies to E15, and we are actively following up on addressing them. The Administrator has asked me to respond on her behalf.

As an initial point, gasoline must meet the applicable seasonal and geographic requirements for RVP during the summer volatility season. Specifically, gasoline introduced into commerce during the summer ozone season may not exceed the more stringent of the applicable RVP standards set forth at 40 CFR 80.27(a)(2), or any applicable RVP standard in a federally approved state implementation plan. As you noted in your letter, the CAA in Section 211(h)(4) grants a 1.0 pound per square inch (psi) waiver for gasoline containing 10 percent ethanol from the applicable RVP standard during the summer months (June 1 – September 15 at retail). The Agency has consistently construed this provision as not authorizing a 1.0 psi RVP waiver for gasoline containing more than 10 percent ethanol. The E15 waiver decisions also limit the RVP of E15 to 9.0 psi during the summertime. The RVP standard for E15 is enforceable in the same manner as all other EPA standards for gasoline.

In regards to labeling on pumps, of the photos you provided, "Photo 2" shows the EPA-approved E15 label. The E15 Misfueling Mitigation Rule and the misfueling mitigation conditions in the E15 waiver decisions require that E15 sold for use in Model Year (MY) 2001 and newer light-duty gasoline vehicles (commonly referred to as passenger vehicles and which include cars, minivans, and most pick-up trucks) must use the EPA-approved E15 label. Retailers should clearly differentiate between fuel sold for use in Flexible Fuel Vehicles (FFVs) and fuel sold for use in other vehicles, engines, and equipment.

The EPA uses industry-funded surveys conducted by an independent party to monitor compliance with the EPA E15 labeling requirements. These surveys are required under the EPA regulations and as a condition to the introduction of E15 into commerce for use in MY 2001 and newer conventional vehicles under the E15 waivers. The EPA monitors the survey data and, as

stated in the E15 misfueling mitigation rule, may pursue future misfueling mitigation measures if warranted. The EPA continues to encourage all members of the fuels industry to constructively work together through the E15 Education and Outreach Coalition (<http://www.e15fuel.org/>) to improve consumer awareness and reduce the likelihood of misfueling.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Patricia Haman in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806.

Sincerely,

A handwritten signature in blue ink, appearing to read "Janet G. McCabe".

Janet G. McCabe
Acting Assistant Administrator